

PB# 95-26

**ARGENIO SD
(SESAME STREET)**

57-1-89.12

ARGEN10 SUBDIVISION - STATION RD.
5 LOTS (POWELL) OWNER: OFFENBORN

Approved

March 7, 1996

Wilson Jones • Carbonless • S1642-4WCL Duplicate • S1644-4WCL Triplicate

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12555

MADE IN U.S.
© Wilson Jones, 1989

DATE September 23, 1995 RECEIPT NUMBER 95-26

RECEIVED FROM Argenio Brothers, Inc.

Address Ruscitti Rd - P.O. Box 2068 - Newburgh, NY

Six Hundred Seventy-five 00/100 - DOLLARS \$675.00

FOR Five lot Subdivision (4 Lots @ 150.00 ea. - 1 Lot @ 75.00)
Escrow payment

ACCOUNT		HOW PAID	
BEGINNING BALANCE	675 -	CASH	
AMOUNT PAID	675 -	CHECK	#1515
BALANCE DUE	-0-	MONEY ORDER	

BY A. Jappalo
Mary Hansen, Secy to the P.B.

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

15025

Sept 22 1995

Received of Argenio Brothers, Inc. \$ 50.00

Fifty 00/100 DOLLARS

For Planning Board Application #95-26

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Ch # 1516</u>		<u>50.00</u>

By Dorothy H Hansen

Town Clerk

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

15345

march 6 1996

Received of Genaro A Argenio \$ 275.00

Two Hundred seventy five 00/100 DOLLARS

For Planning Board #95-26

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Ch # 1082</u>		<u>275.00</u>

By Dorothy H. Hansen

Town Clerk

Wilson Jones • Carbonless • S1642-4WCL Duplicate • S1644-4WCL Triplicate

DATE 3-6-96 RECEIPT NUMBER 95-26

RECEIVED FROM Genaro A. Argenio

Address 4 Lanter Ave - Newburgh, N.Y. 12550

1 Hundred and Ninety - 00 - 53/100 - DOLLARS \$ 191.53

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

15020

Sept 22 1995

Received of Angenio Brothers, Inc \$ 50.00

Fifty 00/100 DOLLARS

For Planning Board Application # 95-26

DISTRIBUTION

FUND	CODE	AMOUNT
CK # 1516		50.00

By Dorothy H Hansen

Town Clerk

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

15045

March 6 1996

Received of Genaro A Argenio \$ 275.00

Two Hundred seventy five 00/100 DOLLARS

For Planning Board # 95-26

DISTRIBUTION

FUND	CODE	AMOUNT
CK # 1082		275.00

By Dorothy H Hansen

Town Clerk

Wilson Jones - Carbonless - 51642-4WCL Duplicate - 51644-4WCL Triplicate
MADE IN U.S.A.
© Wilson Jones, 1989

DATE 3-6-96 RECEIPT NUMBER 95-26

RECEIVED FROM Genaro A. Argenio

Address 4 Larter Ave - Newburgh, N.Y. 12550

Two Hundred Ninety-One 53/100 DOLLARS \$ 791.53

FOR 2% of Private Improvement bond (39,576.85)

Inspection fee

ACCOUNT		HOW PAID	
BEGINNING BALANCE	791.53	CASH	
AMOUNT PAID	791.53	CHECK #	1084
BALANCE DUE	-0-	MONEY ORDER	

Li 3/6/96
BY Mary Mason, Secy to the P.B.

Wilson Jones - Carbonless - 51642-4WCL Duplicate - 51644-4WCL Triplicate
MADE IN U.S.A.
© Wilson Jones, 1989

DATE 3-6-96 RECEIPT NUMBER 95-26

RECEIVED FROM Genaro A. Argenio

Address 4 Larter Ave - Newburgh, N.Y. 12550

Two Thousand 00/100 DOLLARS \$ 2,000.00

FOR 4 Lots - Recreation fee \$500.00 ea

ACCOUNT		HOW PAID	
BEGINNING BALANCE	2000.00	CASH	
AMOUNT PAID	2000.00	CHECK #	1083
BALANCE DUE	-0-	MONEY ORDER	

Li 3/6/96
BY Mary Mason, Secy to the P.B.

Map Number 45-96 City 95-26
Section 57 Block 1 Lot 89.12 Town [X] Village New Windsor

Title: Argenio, Genaro A.

Dated: 2-20-96 Rev. Filed 3-13-96

Approved by Edward Stent

on 3-7-96

Record Owner Genaro Argenio

(3 sheets)

JOAN A. MACCHI
Orange County Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/15/96

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 95-26

NAME: ARGENIO SUBDIVISION

APPLICANT: ARGENIO, GENARO A.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
03/07/96	PLANS STAMPED	APPROVED
01/24/96	P.B. APPEARANCE PUBLIC HEARING . NEED 911 AND DEC APPROVAL	APPROVED SUB. TO MRK
12/13/95	P.B. APPEARANCE	ND: SET FOR P.H.
12/13/95	P.B. APPEARANCE . ASSUMED LEAD AGENCY DUE TO 30 DAY TIME LIMIT FROM COORD. . LTTR	L.A. TAKEN
12/06/95	WORK SESSION APPEARANCE	NEXT AGENDA
10/05/95	SENT LEAD AGENCY COORD. LETTER	LETTER SENT FOR L.A.
09/27/95	P.B. APPEARANCE . GET RESPONSE FROM D.E.C. AND SEND L.A. COORD. LETTER	MARKS COMMENTS
09/06/95	WORKSESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/15/96

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 95-26

NAME: ARGENIO SUBDIVISION

APPLICANT: ARGENIO, GENARO A.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV2	01/11/96	MUNICIPAL HIGHWAY	01/17/96	APPROVED
REV2	01/11/96	MUNICIPAL WATER	01/15/95	NO TOWN WATER
REV2	01/11/96	MUNICIPAL SEWER	/ /	
REV2	01/11/96	MUNICIPAL FIRE	01/16/96	APPROVED
		. PLAN ACCEPTABLE HOWEVER, NAME MUST BE ASSIGNED TO STREET AND		
		. STREET ADDRESSING MUST BE COMPLETE		
REV1	12/06/95	MUNICIPAL HIGHWAY	01/11/96	SUPERSEDED BY REV2
REV1	12/06/95	MUNICIPAL WATER	12/08/95	APPROVED
REV1	12/06/95	MUNICIPAL SEWER	01/11/96	SUPERSEDED BY REV2
REV1	12/06/95	MUNICIPAL FIRE	12/11/95	APPROVED
		. PLEASE CONTACT THE FIRE INSPECTORS OFFICE TO ARRANGE FOR		
		. NAMING THE ROAD FOR E911		
ORIG	09/23/95	MUNICIPAL HIGHWAY	12/06/95	SUPERSEDED BY REV1
ORIG	09/23/95	MUNICIPAL WATER	09/25/95	APPROVED
ORIG	09/23/95	MUNICIPAL SEWER	12/06/95	SUPERSEDED BY REV1
ORIG	09/23/95	MUNICIPAL FIRE	09/25/95	APPROVED
ORIG	09/23/95		12/06/95	SUPERSEDED BY REV1
ORIG	09/23/95		12/06/95	SUPERSEDED BY REV1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 03/06/96

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 95-26

NAME: ARGENIO SUBDIVISION
APPLICANT: ARGENIO, GENARO A.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/23/95	REC. CK. #1515	PAID		675.00	
09/27/95	P.B. ATTY. FEE	CHG	35.00		
09/27/95	P.B. MINUTES	CHG	27.00		
12/13/95	P.B. ATTY. FEE	CHG	35.00		
12/13/95	P.B. MINUTES	CHG	22.50		
01/24/96	P.B. ATTY. FEE	CHG	35.00		
01/24/96	P.B. MINUTES	CHG	36.00		
03/06/96	P.B. ENGINEER FEE	CHG	441.00		
		TOTAL:	631.50	675.00	-43.50

*Please issue a check in
the amount of \$43.50 to:*

*Argenio Brothers
P.O. Box 2068
Newburgh, N.Y. 12550*

SUBDIVISION FEES - TOWN OF NEW WINDSOR

3/6/96
fees - approval

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00 *Pl Upon applic*

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$ *Pl Upon applic*
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE....\$

* * * * *

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
PRELIMINARY PLAT APPROVAL\$ 100.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 125.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 275.00 (A)

* * * * *

RECREATION FEES:

4 LOTS @ \$500.00 PER LOT\$ 2000.00 (B)

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 441.00
PLANNING BOARD ATTORNEY FEES.....\$ 105.00
MINUTES OF MEETINGS.....\$ 85.50
OTHER.....\$
631.50 }
675.00 } Escrow
43.50 } Due applic

* * * * *

PERFORMANCE BOND AMOUNT.....\$

4% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ 39,576.85

2% OF APPROVED COST ESTIMATE:.....\$ 791.53 (C)
(INSPECTION FEE)



EUSTANCE & HOROWITZ, P.C.

CONSULTING ENGINEERS ■ LAND PLANNERS ■ LAND SURVEYORS

ARGENIO SUBDIVISION WETLANDS AND MITIGATION REPORT

INTRODUCTION

This project is to be located on Station Road in the Town of New Windsor, south of NYS Route 207 and north of NYS Route 94. It will be on the east side of Station Road to the north of the Conrad property. The project is a five lot subdivision on a 29.7 acre parcel of old farmland and orchard areas.

The project has a frontage of 632 feet on Station Road. The property falls away from the road on grades of 6% to 18%. There is a linear freshwater wetland (NYSDEC, MB-29) that parallels Station Road at an average distance of 150 feet from the town road. This wetland averages 100 feet in width and blocks all access to the 24 acres to the east of the strip wetland. Wetland MB-29 is a Class II wetland based on New York State Department of Environmental Conservation evaluations.

PROPOSED DISTURBANCE OF THE WETLAND

In order to access the bulk of this property, a raised roadway will have to be built across the wetland. At its low point the centerline of the road would be 461.5' at an elevation of 13.5 feet above the wetland. The width of the upper roadway and shoulders will be 40 feet. On the basis of the 1:2 horizontal side slope required by the Town of New Windsor, the toe of slope would spread 27 feet on each side of the roadway at the points that are most elevated above natural ground.

In order to protect the wetland, a 60" dia. culvert will pass under the embankment. The existing spring at the south toe of the embankment will also be piped to daylight.

The fill in the delineated wetland will be 0.13+ acres and 13,600 cubic feet in extent. The fill or cut areas in the 100' buffer or adjacent areas will total 0.47+ acres or 149,500 cubic feet.



ALTERNATIVES TO WETLAND DISTURBANCE

1. There is no way to access the bulk of this property from the public highway, except by crossing fresh water wetland M&B 29. The two steep, 20% slopes, Station Road and the wetland is too steep and too narrow to provide house lots. In order to develop the property without wetland disturbance, it would have to be sold as raw land to adjacent owners who do have access across either wetland M&B 29 or M&B 37 to the north. The bottom of the entire narrow valley is, on-site and off-site, effectively blanketed by classifiable wetlands.
2. An elevated bridge to carry the access road across the wetland in the valley would be technically possible, but prohibitively expensive. Even if 25 lots were designed for this project, the income from a single family home subdivision of that size would still not pay for the increased cost of the bridge as compared to the readily built over earth fill.
3. Farming a parcel of 26.7 acres is not feasible due to the present agricultural market as well as costs of farming practices and materials. An on farm operation would still require access, which would be very difficult up the 20% slopes to the east or rear of the wetland. Special buildings would have to be built on the property and extensive amounts of herbicides and pesticides would be needed on slopes that are tributary to the wetland. It is hardly likely that a 26.7 acre farm would realize the \$10,000 annual income that would be needed to farm and maintain an agricultural district.
4. The construction of a residential subdivision to the maximum extent allowed by zoning would require a 2,200' long main cul-de-sac and at least one side street to serve 25 ± lots. Town regulations do not allow that long a street with only a single access point on the existing town road. That amount of street pavement or the construction of double access roads on the Station Road frontage would deliver much larger amounts of run-off with the related road salt and hydroflush materials to wetland

MD-20. The approximately 25 homes could, therefore, if constructed, each need its own well and septic system, as well as proportionate amounts of roof and paved impervious surfaces plus fertilized lawn areas.

MINIMIZATION OF WETLAND DISTURBANCE

As a result of consultation with the owner of the project and New York State Department of Environmental Conservation personnel, the road orientation has been changed. The street alignment has been shifted to the south so that it will cross the narrowest part of the wetland, just north of the existing spring.

In addition, the lowest elevation of the street's vertical curve has been lowered from elevation 404.9' to 401.45'. Based on the 1:1 (vertical) side slopes required by the river for the roadway fill, the proposed total wetland impact area has shrunk from $0.24 \pm$ acres to $0.13 \pm$ acres.

The use of gabions was considered in order to reduce the average slope of the side slopes of the fill in the area of the wetland disturbance. However, the height of this fill is not conducive to the use of gabions as a normal construction practice. Sheet piling or retaining walls would be prohibitive for a project of this size. By reducing the upper road width, reducing the height of the fill and shorting the road alignment, the total wetland disturbance has been reduced from that of the originally proposed crossing.

PROTECTION OF THE WETLAND

During construction, the wetland will be protected by silt fence barriers. These will be placed at outer edges of the proposed base of the fill area in order to catch and retard runoff water and soil particulates. They will also serve to collect soil particles that might otherwise roll downslope during construction.

The runoff from the completed roadway will be collected in swales as it runs down toward the fill area. It will then be directed to the natural vegetation on the existing hillside slopes. At these points, it will be dissipated by trap structures. This will spread the flow out onto the naturally vegetated slopes and reduce the erosion potential into the existing wetland.

The slopes of the 1.1 (erthcut) will be stabilized by seeding and mulching. The proposed seed mixture will consist of annual and perennial ryegrass with crown vetch seed as well. The ryegrass should be sufficient to stabilize the 1.2 slopes. The crown vetch will act as a climax vegetation which has been shown to be able to stabilize even 1:1 slopes for roadways.

MITIGATION MEASURES

A 15 inch diameter culvert is proposed under the fill in order to carry the normal runoff down this wetland valley. However, its upper invert of 390' will be inside of a drainage structure. The entrance pipe entrance to the drainage structure is to be at an elevation of 395' as compared to a ground elevation of 390'. This elevated 15" pipe will discharge to the interior of the structure. There will be a grate at the top of the structure at an elevation of 398'. This will leave 3.5' of freeboard below the road's lowest elevation at 401.3'.

The entrance pipe will allow impoundment of a seasonal pond to a maximum elevation of 395', which is the ground elevation at the upper northerly property line. Due to the small 4.5± acre watershed above the proposed roadway crossing, this pond will shrink in surface elevation and volume during prolonged dry periods. The ponding area will be 0.64± acre in size.

The present construction point in the existing wetland has an elevation of 389'. The upper boundary of the northern portion of the existing wetland is at 395' to 396' in elevation. This means that seasonal soil saturation extends up to eight (8) feet above the control elevation during significant portions of the growing season. The existing wetland area above the proposed northern base of the fill is 0.64± acres.

The proposed upper pond elevation of 345' will certainly extend the saturation zone to an elevation of 400' above which the valley side slopes become much steeper. The extended saturation zone on either side of the ponding area would be $1.02 \pm$ acres.

The wetland fill area would be 0.13 acres. This will be mitigated by the $0.64 \pm$ acre ponding area plus the $1.02 \pm$ acre area of the new saturation zone. The range in width of the saturated zone would, therefore, be 1.5 as disturbed wetland area versus saturation mitigation area. In addition, the pond would add an enhancement feature by increasing the diversity of the wetland.

The vegetation of the northern portion of the wetland to be flooded consists mainly of American elm, European buckthorn, goldenrod, purple loosestrife, Virginia creeper and poison ivy. Pin oak, red maple and green ash trees tend to be concentrated along the fringes rather than in the bottom of the wetland.

Flooding in the ponding area would, therefore, only tend to affect the larger, mature trees during relatively short periods of the year. The more rapidly growing species in the base of the wetland would tend to recur in the new saturated soil zones upslope of the present wetland area.

CONCLUSIONS

The roadway must cross this portion of freshwater wetland M5-29 because the wetland otherwise blocks access to at least 24 acres of this $29.7 \pm$ acre parcel. The location of the 5 lot subdivision entrance road has been shifted so that it will cross the narrowest part of the wetland. Total wetland disturbance will now be only 0.13 acres.

There is no reasonably feasible use of this property if the wetland is not crossed by an entrance roadway. An elevated road is necessary because of the steep 18% side slope of the wetland valley.

Mitigation of the wetland fill will create a 0.64 ± acre seasonal pond and 1.02 ± acres of newly saturated wetland vegetation area to an elevation of 100'. This saturated zone will provide a 1:3 mitigation ratio by area. In addition, the 0.64 ± acre seasonal pond will provide diversity to an otherwise flat wetland, which has a small drainage area.

The proposed development of 5 residential lots will be much less than the town's zoning regulations would allow. Less runoff and turbid components will occur than if much more roadway from a 15 lot subdivision were constructed. The pesticide runoff from an active farming or orchard operation would be significantly greater than that from 5 residential lots.

The main body of the wetland will be protected from sediment and other erosion products by silt fence barriers during construction. Stabilized slopes, collection swales and riprap energy dissipators will protect the wetland after the project is finished.

Respectfully Submitted,
EUSTANCE & HOROWITZ, P.C.

November 6, 1995



William E. Eustance, P.E.
Vice President

argsub/e275

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**





EUSTANCE & HOROWITZ, P.C.

CONSULTING ENGINEERS ■ LAND PLANNERS ■ LAND SURVEYORS

Argenio Subdivision
Cost Estimate for Construction
of "Sesame Street"

February 15, 1996

1.	Drainage work:		
	a.	1 catch basin	1,300.00
	b.	170' of 15" pipe @ \$15	2,550.00
2.	Sediment and erosion control		1,500.00
3.	Installation of Private Road		
	Subbase	4,167 SY @ \$5.55	23,126.85
	Surface Treatment	2,500 SY @ \$4.50	11,250.00
4.	Install monuments	18 @ \$75.00	<u>1,350.00</u>
		Total	\$39,576.85

argenio/e279





McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 6 Sept 95 APPLICANT RESUB.
REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: N

PROJECT NAME: Argenio subdiv.

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Jerry Argenio / Lou Powell

MUNIC REPS PRESENT: BLDG INSP. ? around
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Offenborg's prop further subdiv.
 - 5 lot subdiv.
 - House on big lot - loc as depicted.
 - 800' max length for P/R
 - dedication strip
 - discuss HDPE OK on unofficial basis
 - need road name
 - bulk table all 5 lots
 - wetlands • DEC app needed
 - need sight dist info for intersection
 - trying for 9/27
- 4MJE91 pbwsform

RESULTS OF P.B. MEETING

DATE: September 27, 1995

PROJECT NAME: Argenio Sub. PROJECT NUMBER 95-26

* * * * *

LEAD AGENCY: * NEGATIVE DEC:
*
M)___ S)___ VOTE:A___ N___ * M)___ S)___ VOTE:A___ N___
*

CARRIED: YES___ NO___ * CARRIED: YES:___ NO___
*

* * * * *

PUBLIC HEARING: M)___ S)___ VOTE:A___ N___
WAIVED: YES___ NO___

SEND TO OR. CO. PLANNING: M)___ S)___ VOTE:A___ N___ YES___ NO___

SEND TO DEPT. OF TRANSPORT: M)___ S)___ VOTE:A___ N___ YES___ NO___

DISAPP: REFER TO Z.B.A.: M)___ S)___ VOTE:A___ N___ YES___ NO___

RETURN TO WORK SHOP: YES___ NO___

APPROVAL:

M)___ S)___ VOTE:A___ N___ APPROVED:___

M)___ S)___ VOTE:A___ N___ APPR. CONDITIONALLY:___

NEED NEW PLANS: YES___ NO___

DISCUSSION/APPROVAL CONDITIONS:___

L.A. Cool Letter to be sent

Address state's comments

Get response from D.E.C.

L.A. Cool Letter to be sent

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector Robert F. Rodgers ,C.C.A.

DATE: 16 January 1996

SUBJECT: Argenio Subdivision

Planning Board Reference Number : PB-95-26

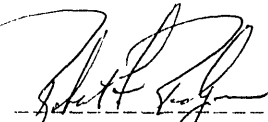
Dated: 11 January 1996

Fire Prevention Reference Number: FPS-96-008

A review of the above referenced subdivision plan was conducted on 12 January 1996.

This subdivision plan is acceptable, however, a name must be assigned to the street and the street addressing must be complete.

Plans Dated: 20 September 1995



Robert F. Rodgers, C.C.A.
Fire Inspector

RFR/dh



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR

P/B # 95-26

WORK SESSION DATE: 6 DEC 95

APPLICANT RESUB.
REQUIRED: mtg plans

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Argonia

PROJECT STATUS: NEW _____ OLD X

REPRESENTATIVE PRESENT: Low Powell

MUNIC REPS PRESENT: BLDG INSP. ice rink
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

@ DEC 7 permit to cross wetlands
MYRA → Ineed calcs for selection of 15" drainage pipe
→ set elev. for drive and houses
lot 2 & 4
→ road name
cond #'s w/ Bob

→ next avail agenda for P/H authorization

4MJJE91 pbwsform

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 25 September 1995
SUBJECT: Genaro A. Argenio

Planning Board Reference Number: PB-95-26
Dated: 23 September 1995
Fire Prevention Reference Number: FPS-95-045

A review of the above referenced subject subdivision plan was conducted on 22 September 1995.

This subdivision plan is acceptable.

Plans Dated: 20 September 1995.

Robert F. Rodgers, C.C.A. (mvz)
Robert F. Rodgers, C.C.A.

RFR/mvz

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 11 December 1995

SUBJECT: Genaro A. Argenio Subdivision


Planning Board Reference Number: PB-95-~~26~~
Dated: 6 December 1995
Fire Prevention Reference Number: FPS-95-055

A review of the above referenced subject subdivision plan was conducted on 11 December 1995.

This subdivision plan is approved.

It will be necessary for a road name to be selected. Please have the developer or engineer contact my office with a list of suggested names.

Plans Dated: 20 September 1995


Robert F. Rodgers, C.C.A. (mvz)
Fire Inspector

RFR/mvz

PRIVATE ROAD MAINTENANCE DECLARATION

This Declaration made the 13TH day of MARCH, 1996, is intended to refer to Lot Nos. 1, 2, 3, 4 and 5 referred to on a certain subdivision map known as "Plan of Subdivision for Genaro A. Argenio " for lands located in the Town of New Windsor, Orange County, New York prepared by Eustance and Horowitz, P.C., dated September 20, 1995 and last revised February 20, 1996, for which conditional final approval was granted by the Town of New Windsor Planning Board on January 24, 1996, said map to be filed in the Orange County Clerk's Office.

W I T N E S S E T H:

WHEREAS, there exist certain lots known as lots 1, 2, 3, 4, and 5 and also a certain private road designated as Sesame Street which extends from and connects to Station Road in the Town of New Windsor, County of Orange, State of New York referred to on a certain Subdivision map known as "Plan of Subdivision for Genaro A. Argenio," Town of New Windsor, Orange County, New York, prepared by Eustance and Horowitz, P.C. dated September 20, 1995, said map being filed as Filed Map # 57-1-89.12 in the Orange County Clerk's Office simultaneously with the recording of this Declaration; and

WHEREAS, Genaro A. Argenio, residing at 4 Larter Avenue, Newburgh, New York 12550 is the owner of lots 1, 2, 3, and 4, as well as Sesame Street, by reason of a deed from Hans P. Offenborn and Elaine H. Offenborn, 1767 West Smugglers Cove Drive, Gulf Breeze, Florida 32561 dated the _____ day of _____, 1996 to be recorded simultaneously with the recording of this Declaration in the Orange County Clerk's Office; and Hans P. Offenborn and Elaine H. Offenborn are the owners of lot 5, which is known as the remainder parcel, by reason of a deed dated April 22, 1977 and recorded in the Orange County Clerk's Office in Liber 2465 at Page 266; and

Whereas, Sesame Street extends from Station Road into the subdivision to serve lot numbers 1, 2, 3, 4 and 5 on the subdivision plan; and

WHEREAS, all lot owners will gain access to their respective driveways on their respective lots by use of the private road known as Sesame Street; and

WHEREAS, it is in the best interest of all parties, present and future, that will own the aforesaid lots to have rules and regulations that set forth the intent and obligations to maintain the private road in the passable condition and set forth the apportionment of expenses for repair of said road; and

WHEREAS, it is the intention of the undersigned, present owners of all of the property contained in the subdivision, to file this Declaration and to make the provisions of the

Declaration binding upon the lot owners set forth above or any other lot owners that will eventually use the private road.

It is hereby declared as follows:

1. All owners of the aforesaid lots will refer to this Declaration in the Deeds conveying title to all lots on the plat and will cause future owners of these lots to assume the obligations under this Declaration. The rights and obligations herein shall run with the land and be binding upon all subsequent owners of Lots 1, 2, 3, 4 and 5 of Filed Map # 57-1-89.12 in the Orange County Clerk's Office.

2. The owners of the respective lots shall meet at least annually to determine what maintenance shall be done on the road for the coming year. The owners shall also agree on a method of determining when contractors shall be requested to perform maintenance on the right-of-way including the travelled portion of the road, remove snow and sand when snow or ice conditions prevail.

3. All decisions for improvement, repair or maintenance of the right-of-way including the travelled portion of the road shall be made with a majority of the lot owners present, and each lot shall have one equal vote regardless of the length of road between Station Road and its respective driveway.

4. At the first meeting of the lot owners, the initial order of business shall be to elect, by majority vote of those

lot owners present, a "Manager", who shall chair the first such meeting. Thereafter, and at each meeting the lot owners shall elect an individual to act as the Manager of the road. Such Manager shall continue to serve until a successor is elected, even if the Manager's term is for more than one year. Until the time of such meeting, the undersigned Declarant Genaro A. Argenio shall be the Manager, or in the event a Building Permit has been issued to a different lot owner, then the lot owner to obtain the first building permit in the subdivision shall be the initial Manager.

5. Each lot owner shall be responsible for his share of snow plowing and repairs and maintenance, regardless of whether or not a building permit has issued for the construction of a residence on his particular lot, except for lot #5 as provided in Paragraph 15 herein.

6. All maintenance expenses of said roadway shall be borne by the lot owners equally, including taxes and insurance. All notices shall be by regular mail to the address on the deed to the lot or the address on the most recent tax bill.

7. The general Manager shall solicit bids from two contractors for all necessary repairs to the road. Upon receipt of an invoice for an expense for the road, the Manager shall immediately notify the respective owners of the total amount of the invoice and their proportionate share of the expense. Within TEN (10) days of the mailing of this notification, the respective lot owner shall forthwith deliver a check made payable to the

contractor to the Manager, who in turn shall forward all checks to the contractor in payment of the obligation.

8. In the event one of the lot owners fails to forward his proportionate share of the expenses within TEN (10) days as set forth above or with respect to snowplowing herinafter, the Manager shall be authorized to forward to the contractor the portion of the invoice that has been paid with a statement setting forth the proportionate share that remains unpaid and the lot owner that has not paid his share. The lot owner who has not paid his proportionate share shall subject his real property to the lien of the contractor for the performance of the work. For the purpose of this Declaration, each lot owner that is affected hereby gives his authorization and by accepting a Deed to the respective lot, does hereby accept the condition that a majority vote for the performance of work and the acts of the Manager in carrying out the directive of the lot owners shall be done by the Manager as an Agent of the lot owner and the lot owner consents to the Manager's actions and agrees to be bound by them.

Alternatively, in the event a lot owner does not pay his share as required above, the Manager or any other lot owner shall have the right but shall not be required to advance money to the contractor to cover that lot owner's share, and shall then be entitled to recover the sums so advanced in a legal proceeding, together with interest at the rate of 12% per annum, plus costs, fees and reasonable attorney fees; or at the option of the lot owner who advances the money, he may place a lien upon the property of the lot owner in default in the same manner as if he were the contractor who performed the work, and recover the money

so advanced together with interest at the rate of 12% per annum, plus costs, fees and reasonable attorney fees.

9. Unless otherwise agreed among the lot owners, it is hereby declared that in the event that accumulation of snow exceeds THREE (3) inches in depth, as the average depth, the Manager is authorized to engage a contractor to remove the snow from the right-of-way including the travelled portion without further authorization from the lot owners in the same manner as if it had been authorized at a meeting.

10. All lot owners agree that the road shall always be maintained so as to be passable by emergency vehicles and ordinary passenger vehicles. This standard shall include any "potholes" that exceed FOUR (4) inches in depth and shall require grading the road when the difference in elevation of all portions of the traveled area exceeds SIX (6) inches. Additionally, any improvements or conditions affecting the road as required by the Planning Board's approval of the subdivision and as set forth or depicted on the subdivision map shall always be maintained.

11. Each lot owner hereby agrees to indemnify and hold the other lot owners harmless from any and all liability for injury or damage when such injury or damage shall result from, arise out of or be attributable to any maintenance or repair conducted pursuant to this agreement.

12. Each lot owner shall have an easement for ingress and egress over Sesame Street in its entirety, and such easement


shall cover family members, invitees, contractors, grantees, transferees, heirs, successors and assigns.

13. Each lot owner and his heirs, successors and assigns hereby reserves the right to grant easements to utility companies for the purpose of providing utility service to his lot and other lots in the subdivision across his lands and across Sesame Street; and each lot owner agrees to cooperate with other lot owners in the subdivision to grant easements for the benefit of the subdivision and the individual lots.

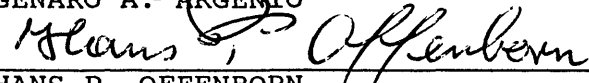
14. Each lot owner hereby irrevocably offers for dedication to the Town of New Windsor, Orange County, New York that area within the fifty foot right-of-way of the private road known as Sesame Street as indicated on the filed map, said irrevocable offer of dedication to become effective at such time in the future as the then lot owners and the Town of New Windsor agree to accept dedication of Sesame Street as a public highway of the Town of New Windsor pursuant to the Town's laws and regulations.

15. This Declaration shall not obtain in any way with respect to lot 5 on the afore-mentioned filed map, until such time as a building permit shall be secured with respect to lot 5 or any subdivided lot that may obtain a building permit as a result of lot 5 being further subdivided. Notwithstanding the foregoing, the owner or owners of lot 5 or its successors, assigns, transferees, or grantees shall cooperate at all times with respect to paragraph 14 hereinabove.

16. The terms and conditions of this private road maintenance declaration shall run with the land.



GENARO A. ARGENIO



HANS P. OFFENBORN



ELAINE H. OFFENBORN

STATE OF NEW YORK)
) s.s.:
COUNTY OF ORANGE)

On the 13th day of March, 1996, before me personally came Gynaro A. Aguirre to me known to be individual(s) described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

Deborah Green

NOTARY PUBLIC

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997

STATE OF FLORIDA)
) s.s.:
COUNTY OF SANTA ROSA)

On the 11th day of MARCH, 1996, before me personally came HANS OFFENBORN to me known to be individual(s) described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

James F. McGuire
NOTARY PUBLIC



JAMES F. MCGUIRE
My Comm Exp. 8/31/99
Bonded By Western Surety
No CC492822
☒ Personally Known ☐ Other I.D.

STATE OF FLORIDA)
) s.s.:
COUNTY OF SANTA ROSA)

On the 11th day of MARCH, 1996, before me personally came ELAINEH OFFENBORN to me known to be individual(s) described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

James F. McGuire
NOTARY PUBLIC



JAMES F. MCGUIRE
My Comm Exp. 8/31/99
Bonded By Western Surety
No CC492822
☒ Personally Known ☐ Other I.D.

PUBLIC HEARING:

ARGENIO SUBDIVISION (95-26) STATION ROAD

MR. PETRO: We will first go through the presentation and then I will call upon the public, if anyone.

Mr. Lou Powell from Eustance and Horowitz appeared before the board for this proposal.

MR. PETRO: Is there two separate maps?

MR. POWELL: No, there's a set of three which is all the subdivision plan and storm water management plan similar to the first sheet.

MR. LANDER: We should be looking at January 1, 1996?

MR. DUBALDI: January 11.

MR. PETRO: We're all set here. The board is going to review it first. After the board reviews it, at such time, I'll open it up to the public, okay? Make the presentation and we'll go from there.

MR. POWELL: Good evening, I'm Lou Powell from Eustance and Horowitz. I'm here on behalf of Jerry Argenio on the proposed subdivision of 28.6 plus or minus acres on Station Road into five lot subdivision. The zoning is R-1 which requires one acre minimum. The minimum lot size in this subdivision is 1.5 acres and they go up to 16 acres the lots will be off of a private road, what, approximately 800 feet long which requires DEC permit for crossing a wetland area. Lots will be served by individual wells and septic. That's about it, Mr. Chairman.

MR. PETRO: This plan was previously reviewed at the 27 September, 1995 and 13 December, 1995 planning board meetings. Also for the board's edification, we have fire approval on 12/11/95 and highway approval on 1/17/96.

MR. LANDER: One question. You said the road was approximately 800 feet long, as you see, it can't be

any longer than that.

MR. POWELL: Right.

MR. LANDER: Next question is you had some wetlands across here with this?

MR. POWELL: Yes.

MR. LANDER: Do we have anything in our file from the DEC or--

MR. PETRO: I don't think we have at this time.

MR. POWELL: The notice of the application to them is going in actually in the paper tomorrow and they have up to February 9 for the public to make comments to the DEC after which they'll issue the permit.

MR. PETRO: February 9th?

MR. POWELL: Right.

MR. PETRO: 911 addressing also a comment from the highway department stipulation and also you have to do that. Has anyone assigned the street name and numbers? Mark, there's nothing that has been done with that?

MR. EDSALL: Not that I am aware of. Lou, have you met with Bob Rogers to establish a name and numbering?

MR. POWELL: Mr. Argenio met today with Mr. Rogers and they have established a name.

MR. EDSALL: Get that on the plan as soon as you can because the town procedures include the name and numbering on the subdivision plat.

MR. LANDER: I know at the last meeting, have you changed the private road specification on here cause I think in one of Mark's comments it was wrong, was that corrected, Mark?

MR. POWELL: The cul-de-sac pavement was 80 feet, should have been 100 foot.

MR. LANDER: Private road spec is all right?

MR. EDSALL: Yes. The other question, Ron, that you raised as far as the length of the road, the private road itself, as you can see from the stationing on sheet one is 800 feet and then to that is the cul-de-sac turnaround generally, that is what we have got unless the board has any objection, that is what we have let the people do.

MR. PETRO: Cul-de-sac turn around meets all specifications, radius?

MR. EDSALL: Yes, they've increased that.

MR. LANDER: Can you tell me just here on the plan, I don't see where it's displayed but in the legend this is outline of a swale maybe?

MR. POWELL: Right, that is a swale. I used a high point, there's a high point here so it goes both ways there and there's just one right here.

MR. LANDER: Wouldn't that swale be, wouldn't it continue down the culvert here or no?

MR. POWELL: No, because this goes into a fill area so it comes right here.

MR. PETRO: Mark, on the remaining lot number 5, we don't need to show anything to the house, a driveway?

MR. EDSALL: I know they are just plotting the house to show it on the large lot, we don't need anything else other than what they are showing.

MR. EDSALL: My only concern in the past had been the grading access to the cul-de-sac which they are showing acceptable slopes off of the cul-de-sac. Now, the house was previously approved location from the minor subdivision of, what's the applicant's name on that one?

MR. POWELL: Offenborn.

MR. DUBALDI: Is there anymore detail on that map?

MR. POWELL: No, for that particular lot, no, that was house location, well and septic area.

MR. EDSALL: That one with the lot being the size it is they told us they weren't sure if that was really going to be the location but they are showing at least it can be built.

MR. PETRO: They are leaving 50 foot wide right-of-way to the back lot, obviously off the cul-de-sac in the event that they should further subdivide that in the future and make a town road, is that the reason for that?

MR. EDSALL: Yes.

MR. POWELL: Actually, it's 70 feet to meet the regulations.

MR. PETRO: Gentlemen, I'm going to open it up to the public. We can get some input, I think there's a couple people here then we can review it later. At this time, I'd like to open this to the public and at January 10, 1996, 14 addressed envelopes did go out containing the notice of public hearing and sworn on the 10th day of January, 1996 Deborah Green, notary public. So if there's anyone here at this time that would like to speak on behalf of this application, please raise your hand, be recognized, come forward and state your name and add your address.

MS. MICHELE MORAMY (PHONETIC): My name is Michele Moramy, 162 Station Road. I'd just like to know if there's a minimum requirement on the house size that is going up?

MR. POWELL: Only by town regulations. I don't know.

MS. MORAMY: So they can have real small and real big?

MR. BABCOCK: 1,200 square feet minimum.

MS. MORAMY: That is what I mean, okay.

MR. POWELL: Mr. Argenio is here. I have no idea whether he is going to put restrictions on the house size or not. He plans to build there himself so I am sure he will control it.

MS. MORAMY: He's a builder, oh, okay. How far from Station Road will the first house be?

MR. POWELL: Several hundred feet because--

MS. MORAMY: So it won't be visible?

MR. POWELL: They are up on the hill so it will be visible.

MS. MORAMY: So it is all deep, it goes back?

MR. POWELL: Yes, nothing fronting immediately on Station Road.

MR. EDSALL: The plan as depicted shows the closest house is approximately 500 foot of the road.

MR. POWELL: It drops down and goes back up onto a knoll and goes further back.

MS. MORAMY: He hasn't sold anything yet?

MR. POWELL: Can't be sold yet.

MS. MORAMY: Have they got any interest?

MR. POWELL: I believe he's had some interest.

MR. PETRO: You're planning on building four homes?

MR. ARGENIO: Right, I'm planning on building four homes. It's at least 4 or 500 feet and I have no restriction from the town, 1,200 square feet, but it is my intent to put deed restrictions on the property because I'm building there myself, I'm going to live there myself, I want to keep the property value up.

MS. MORAMY: Okay, thank you.

MR. PETRO: Anyone else here that would like to speak on behalf of this application? If not, entertain a motion to close the public hearing.

MR. DUBALDI: So moved.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for Argenio major subdivision on Station Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: I'd like to open it back up to the board for any further discussion. Seems to me that we're held up on two items. Mark, pay attention, correct me if I am wrong, one would be the DEC permit to cross the wetlands. I didn't mean pay attention because you're coughing but, excuse me, and the second one would be the 911 numbering?

MR. EDSALL: Those are the only two items I'm aware of.

MR. ARGENIO: Mr. Chairman, if I may, I did speak with Mr. Rogers I think it was yesterday and I gave him the proposed names so he could do a search for the 911 so we don't get a repetitive road name and we did arrive at a name. I don't know the mechanics of that.

MR. PETRO: Just has to be placed on the map with the numbering which is just a mechanical thing.

MR. DUBALDI: DEC we have to wait for. We have to really wait for that.

MR. PETRO: Mark, do you feel, Ron, Mike and Carmen and Ed don't have anything else, we can go ahead subject to the DEC.

MR. LANDER: I'd like to make a motion to that effect. I think that once we receive that letter, then we can get his plans stamped, we can move ahead with this.

MR. BABCOCK: We can review for the 911.

MR. EDSALL: Lou, you have already gotten initial comments and you're going through the public notice period, right?

MR. POWELL: They have, it's complete for them enough that they notified, put the notice in the paper, yes.

MR. LUCAS: Second it.

MR. POWELL: She told me that if there was any problems that she'd talk to me in between. I have not heard from her at all. So I think they are happy with what we propose. We proposed what they requested.

MR. PETRO: This is the third meeting, I think we have reviewed this pretty closely. Once we get a sheet, has no comments from Mark, we have a motion by Mr. Lander for a final and seconded by Mr. Lucas first for final approval on the Argenio major subdivision.

MR. DUBALDI: No, we have to clear neg dec.

MR. EDSALL: It's done. You have a negative dec back in December 13th.

MR. DUBALDI: I'm sorry.

MR. PETRO: Anything else?

MR. DUBALDI: No.

MR. PETRO: Motion has been made and seconded for final approval subject to the 911 numbering and approval from DEC. Is there any further discussion from the board

January 24, 1996

9

members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765


TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

REVIEW NAME: ARGENIO MAJOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 89.12
PROJECT NUMBER: 95-26
DATE: 24 JANUARY 1996
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE
28.66 +/- ACRE PARCEL INTO FIVE (5) SINGLE-FAMILY
RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 27 SEPTEMBER 1995 AND
13 DECEMBER 1995 PLANNING BOARD MEETINGS AND IS
BEFORE THE PLANNING BOARD FOR A PUBLIC HEARING
AT THIS MEETING.

1. The Applicant has responded to all previous engineering review comments at this time.

To my understanding, one procedural item which has not been addressed is compliance with the 911 street name and number procedures.
2. The Board may wish to inquire as to the status of the application to the NYSDEC for the freshwater wetlands crossing.
3. After the Planning Board has had an opportunity to receive and consider comments from the public at this hearing, I will be pleased to perform additional review, as deemed necessary by the Planning Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:ARGENIO3.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: ARGENIO MAJOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 89.12
PROJECT NUMBER: 95-26
DATE: 13 DECEMBER 1995
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE 28.66 +/- ACRE PARCEL INTO FIVE (5) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 27 SEPTEMBER 1995 PLANNING BOARD MEETING.

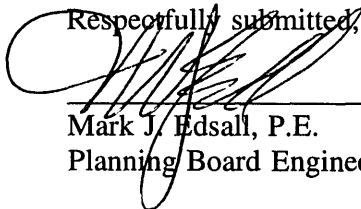
1. The subdivision involves the crossing of a New York State Freshwater Wetlands (MB-29). It is my understanding that the Applicant has made a submittal to the NYSDEC. Their review should also include the Stormwater Management Plan which is an attachment to the application drawings.
2. The application includes a private road for the subdivision. My comments with regard to same are as follows:
 - a. The private road cul-de-sac is of inadequate diameter. A finished roadway diameter of 100' is required.
 - b. The submittal drawings include a road profile and detail sheet. This should be included as part of the subdivision plans, Sheet 3 of 3.
 - c. The private road detail on the road profile and detail sheet is not complete. The detail should delineate the road surface treatment application rates and materials.
 - d. The private road in the area of the wetlands includes a side road slope beginning 20' from the centerline of the private road. This is somewhat different from the typical detail also shown on the sheet. I recommend that the Planning Board accept this alternate arrangement in the area of the wetlands, as the NYSDEC has requested a minimal width of disturbance in this area.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: ARGENIO MAJOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 89.12
PROJECT NUMBER: 95-26
DATE: 13 DECEMBER 1995

3. The Applicant has also submitted a detail sheet for the subdivision (Sheet 2) which addresses the sanitary disposal systems and individual wells. Based on the percolation test information indicated on the submitted drawing, the system design sizes appear acceptable based on State guidelines.
4. In the area of the proposed driveways for Lots 2 and 4, significant cuts are proposed (see private road profile). As such, it is my recommendation that the Applicant coordinate building and driveway elevations for the subdivision, verifying that acceptable driveway slopes can be maintained.
5. As per the 911 policy/procedures adopted by the Town, this project will require assignment of street name and numbering during the Planning Board review process.
6. A Lead Agency Coordination Letter was issued on 5 October 1995 for this project. Subsequent to a communication from the NYSDEC, additional information was sent to that department on 1 November 1995. At this time, I believe an adequate time period has elapsed, without objections being noted relative to the Planning Board assuming the Lead Agency position. As such, I recommend that this action be taken at this time.
7. The Planning Board should consider scheduling the necessary **Public Hearing** for this **Major Subdivision**, as required under Paragraph 4 of the Subdivision Regulations.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:ARGENIO2.mk

P.D. #95-26 Approval fees

561-5102

29-1/213

1082

GENARO A. ARGENIO

4 LARTER AVE.
NEWBURGH, NY 12550

3-6

1996

Payable to Order of

Team of New Windsor.

\$ 275.00

Two hundred seventy five

00/100

Dollars

Fleet Bank

Newburgh, NY 12550

Approval fees serv.

⑆02⑆3000⑆9⑆52050 95766⑆1082

P.D. #95-26 29% Inspection fee

561-5102

29-1/213

1084

GENARO A. ARGENIO

4 LARTER AVE.
NEWBURGH, NY 12550

3-6

1996

Payable to Order of

Team of New Windsor

\$ 791.53

Seven hundred ninety one

53/100

Dollars

Fleet Bank

Newburgh, NY 12550

Inspection fee serv.

⑆02⑆3000⑆9⑆52050 95766⑆1084

P.D. #95-26 Recreation fee

561-5102

29-1/213

1083

GENARO A. ARGENIO

4 LARTER AVE.
NEWBURGH, NY 12550

3-6

1996

Payable to Order of

Team of New Windsor

\$ 2000.00

Two thousand

00/100

Dollars

Fleet Bank

Newburgh, NY 12550

Rec. fees serv.

⑆02⑆3000⑆9⑆52050 95766⑆1083

DEC PERMIT NUMBER 3-3348-00163/00001-0
FACILITY/PROGRAM NUMBER(s)

EFFECTIVE DATE February 26, 1996
EXPIRATION DATE December 31, 1997

PERMIT

Under the Environmental Conservation Law (ECL)

TYPE OF PERMIT (Check All Applicable Boxes)

☒ New☐ Renewal☐ Modification☐ Permit to Construct☐ Permit to Operate

<input type="checkbox"/> Article 15, Title 5: Protection of Water	<input type="checkbox"/> Article 17, Titles 7, 8: SPDES	<input type="checkbox"/> Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
<input type="checkbox"/> Article 15, Title 15: Water Supply	<input type="checkbox"/> Article 19: Air Pollution Control	<input type="checkbox"/> Article 34: Coastal Erosion Management
<input type="checkbox"/> Article 15, Title 15: Water Transport	<input type="checkbox"/> Article 23, Title 27: Mined Land Reclamation	<input type="checkbox"/> Article 36: Floodplain Management
<input type="checkbox"/> Article 15, Title 15: Long Island Wells	<input checked="" type="checkbox"/> Article 24: Freshwater Wetlands	<input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control
<input type="checkbox"/> Article 15, Title 27: Wild, Scenic & Recreational Rivers	<input type="checkbox"/> Article 25: Tidal Wetlands	<input type="checkbox"/> Other _____
<input type="checkbox"/> 6NYCRR 608: Water Quality Certification	<input type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management	

PERMIT ISSUED TO Mr. Genaro Argenio		TELEPHONE NUMBER (914) 565-2007	
ADDRESS OF PERMITTEE 4 Larter Avenue, Newburgh, NY 12550			
CONTACT PERSON FOR PERMITTED WORK		TELEPHONE NUMBER	
NAME AND ADDRESS OF PROJECT/FACILITY Property of Hans Offenborn located east of Station Road approximately 8,000 feet south of the intersection with NYS Route 207.			
LOCATION OF PROJECT/FACILITY Freshwater Wetland MB-29			
COUNTY Orange	TOWN New Windsor	WETLAND NO. MB-29 (Class II)	NYTM COORDINATES E:572.5 N:4589.5
DESCRIPTION OF AUTHORIZED ACTIVITY Construct approximately 115 linear feet of a paved road across Freshwater Wetland MB-29 to provide access to a 5 lot subdivision in accordance with the plans and report specified in Special condition No. 1 and the additional conditions of this permit.			

Argenio.pmt (jan-CO1)

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (See Page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR Michael D. Merriman	ADDRESS 21 South Putt Corners Rd., New Paltz NY 12561		CAO
AUTHORIZED SIGNATURE <i>Michael D. Merriman</i>	Date February 26, 1996	Page 1 of 4	



GENERAL CONDITIONS

Inspections

1. The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3). A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site. Failure to produce a copy of the permit upon request by a Department representative is in violation of this permit.

Permit Changes and Renewals

2. The Department reserves the right to modify, suspend or revoke this permit when:
 - a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
 - b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
 - c) new material information is discovered; or
 - d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.
3. The permittee must submit a separate written application to the Department for renewal, modification or transfer to this permit. Such application must include any forms, fees or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.
4. The permittee must submit a renewal application at least:
 - a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
 - b) 30 days before expiration of all other permit types.
5. Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Other Legal Obligations of Permittee

6. The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project described in this permit and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from this project.
7. This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.
8. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required for this project.

9. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
10. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
11. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services or local government which may be required.
12. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
13. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.
14. There shall be no unreasonable interference with navigation by the work herein authorized.
15. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
16. If granted under Article 36, this permit does not signify in any way that the project will be free from flooding.
17. If granted under 6NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.
18. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

Such approved plans were prepared by _____
on _____.

SPECIAL CONDITIONS

- ◆ The permittee or a representative shall contact by telephone, the Division of Law Enforcement in New Paltz (914) 256-3013 48 hours prior to the commencement of any portion of the project authorized herein.
- ◆ The permittee shall require that any contractor, project engineer, or other person responsible for the overall supervision of this project reads, understands and complies with this permit, including all special conditions to prevent environmental degradation.
- ◆ For Article 15, Protection of Waters permits, the permittee or an authorized representative shall notify the Department by mailing the attached form at least 48 hours prior to the commencement of any portion of the project authorized herein.

Continued on next page...

DEC PERMIT NUMBER 3-3348-00163/00001-0	
PROGRAM/FACILITY NUMBER	PAGE 3 OF 4

**SPECIAL CONDITIONS****For Article 24: Freshwater Wetlands**

1. All work shall be conducted in accordance with the following plans and report prepared by Eustance & Horowitz, P.C.:
 - "Stormwater Management Plan for Genaro A. Argenio" dated September 20, 1995 (revised November 7, 1995)
 - "Road Profile and Details for Genaro A. Argenio" dated September 20, 1995 (revised November 7, 1995)
 - Report entitled "Argenio Subdivision - Wetlands and Mitigation Report" (6 pages) dated November 6, 1995
2. The permittee shall employ measures sufficient to prevent contamination of the freshwater wetland by sediment, fuels, concrete leachate or any other pollutants associated with construction or construction procedures.
3. **EROSION CONTROL:** Prior to commencement of the activities authorized herein, the permittee shall install securely anchored silt fencing and/or continuous staked hay bales as shown on the plans or drawings referenced in this permit. These erosion control devices shall be maintained until all disturbed land is fully vegetated to prevent any silt or sediment from entering the freshwater wetland or its adjacent area. Silt fencing, hay bales and any accumulated silt or sediment shall be completely removed for disposal at an appropriate upland site.
4. All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass seed and mulched with hay or straw within one week of final grading. Mulch shall be maintained until a suitable vegetative cover is established.

STATE ENVIRONMENTAL QUALITY REVIEW ACT

Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action with Town of New Windsor Planning Board designated as the lead agency. It has been determined that the project will not have a significant effect on the environment.

Distribution

Law Enforcement (2)

R. Wood

L. Kolts

Town of New Windsor Planning Board

L. Powell, Eustance & Horowitz

DEC PERMIT NUMBER

3-3348-00163/00001-0

PROGRAM NUMBER

Page 4 of 4

NEW PALTZ DEC

Fax: 914-255-3042

Feb 27 '96

9:42

P. 01/04

95-20-6(10/90)-25c R3

Post-It Fax Note

7671

Date

2/27

of

pages

4

DEC PERMIT NUMBER

3-3348-00163/000C

FACILITY/PROGRAM NUMBER(s)

To G. Argenio (Jr)

From C. O'Brien

Co./Dept

DEC

Co.

DEC

Phone #

565-2007

Phone #

256-3050

Fax #

561 5410

Fax #

EFFECTIVE DATE

February 26, 1996

EXPIRATION DATE

December 31, 1997

PERMIT

Under the Environmental Conservation Law (ECL)

TYPE OF PERMIT (Check All Applicable Boxes)

☒ New☐ Renewal☐ Modification☐ Permit to Construct☐ Permit to Operate☐ Article 15, Title 5:
Protection of Water☐ Article 17, Titles 7, 8:
SPDES☐ Article 27, Title 9: 6NYCRR 373:
Hazardous Waste Management☐ Article 15, Title 15:
Water Supply☐ Article 19:
Air Pollution Control☐ Article 34:
Coastal Erosion Management☐ Article 15, Title 15:
Water Transport☐ Article 23, Title 27:
Mined Land Reclamation☐ Article 36:
Floodplain Management☐ Article 15, Title 15:
Long Island Wells☒ Article 24:
Freshwater Wetlands☐ Articles 1, 3, 17, 19, 27, 37:
6NYCRR 380: Radiation Control☐ Article 15, Title 27:
Wild, Scenic & Recreational
Rivers☐ Article 25:
Tidal Wetlands☐ Other _____☐ 6NYCRR 608:
Water Quality Certification☐ Article 27, Title 7: 6NYCRR 360:
Solid Waste Management

PERMIT ISSUED TO

Mr. Genaro Argenio

TELEPHONE NUMBER

(914) 565-2007

ADDRESS OF PERMITTEE

4 Larter Avenue, Newburgh, NY 12550

CONTACT PERSON FOR PERMITTED WORK

TELEPHONE NUMBER

NAME AND ADDRESS OF PROJECT/FACILITY

Property of Hans Offenborn located east of Station Road approximately 8,000 feet south of the intersection with NYS Route 207.

LOCATION OF PROJECT/FACILITY

Freshwater Wetland MB-29

COUNTY

Orange

TOWN

New Windsor

WETLAND NO.

MB-29 (Class II)

NYTM COORDINATES

E:572.5 N:4589.5

DESCRIPTION OF AUTHORIZED ACTIVITY

Construct approximately 115 linear feet of a paved road across Freshwater Wetland MB-29 to provide access to a 5 lot subdivision in accordance with the plans and report specified in Special condition No. 1 and the additional conditions of this permit.

Argenio.pmt (jan-C01)

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (See Page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR

Michael D. Merriman

ADDRESS

21 South Putt Corners Rd., New Paltz NY 12561

CAO

GENERAL CONDITIONS

Inspections

1. The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3). A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site. Failure to produce a copy of the permit upon request by a Department representative is in violation of this permit.

Permit Changes and Renewals

2. The Department reserves the right to modify, suspend or revoke this permit when:
 - a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
 - b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
 - c) new material information is discovered; or
 - d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.
3. The permittee must submit a separate written application to the Department for renewal, modification or transfer to this permit. Such application must include any forms, fees or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.
4. The permittee must submit a renewal application at least:
 - a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
 - b) 30 days before expiration of all other permit types.
5. Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Other Legal Obligations of Permittee

6. The permittee has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature and by whomever suffered, arising out of the project described in this permit and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from this project.
7. This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.
8. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required for this project.

GENERAL CONDITIONS FOR ARTICLES 15 (TITLE 5), 24,25,34,38 AND 6NYCRR PART 608

- That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
10. That the State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
 11. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, U.S. Coast Guard, New York State Office of General Services or local government which may be required.
 12. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
 13. Any material dredged in the prosecution of the work herein permitted shall be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain or deep holes that may have a tendency to cause damage to navigable channels or to the banks of a waterway.
 14. There shall be no unreasonable interference with navigation by the work herein authorized.
 15. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
 16. If granted under Article 36, this permit does not signify in any way that the project will be free from flooding.
 17. If granted under 6NYCRR Part 608, the NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.
 18. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

Such approved plans were prepared by _____
on _____.

SPECIAL CONDITIONS

- ◆ The permittee or a representative shall contact by telephone, the Division of Law Enforcement in New Paltz (914) 256-3013 48 hours prior to the commencement of any portion of the project authorized herein.
- ◆ The permittee shall require that any contractor, project engineer, or other person responsible for the overall supervision of this project reads, understands and complies with this permit, including all special conditions to prevent environmental degradation.
- ◆ For Article 15, Protection of Waters permits, the permittee or an authorized representative shall notify the Department by mailing the attached form at least 48 hours prior to the commencement of any portion of the project authorized herein.

Continued on next page...

DEC PERMIT NUMBER

3-3348-00163/00001-0

PROGRAM/FACILITY NUMBER

PAGE 3 OF 4

SPECIAL CONDITIONS**For Article 24: Freshwater Wetlands**

1. All work shall be conducted in accordance with the following plans and report prepared by Eustance & Horowitz, P.C.:
 - "Stormwater Management Plan for Genaro A. Argenio" dated September 20, 1995 (revised November 7, 1995)
 - "Road Profile and Details for Genaro A. Argenio" dated September 20, 1995 (revised November 7, 1995)
 - Report entitled "Argenio Subdivision - Wetlands and Mitigation Report" (6 pages) dated November 6, 1995
2. The permittee shall employ measures sufficient to prevent contamination of the freshwater wetland by sediment, fuels, concrete leachate or any other pollutants associated with construction or construction procedures.
3. **EROSION CONTROL:** Prior to commencement of the activities authorized herein, the permittee shall install securely anchored silt fencing and/or continuous staked hay bales as shown on the plans or drawings referenced in this permit. These erosion control devices shall be maintained until all disturbed land is fully vegetated to prevent any silt or sediment from entering the freshwater wetland or its adjacent area. Silt fencing, hay bales and any accumulated silt or sediment shall be completely removed for disposal at an appropriate upland site.
4. All areas of soil disturbance resulting from this project shall be seeded with an appropriate perennial grass seed and mulched with hay or straw within one week of final grading. Mulch shall be maintained until a suitable vegetative cover is established.

STATE ENVIRONMENTAL QUALITY REVIEW ACT

Under the State Environmental Quality Review Act (SEQRA), the project associated with this permit is classified as an Unlisted Action with Town of New Windsor Planning Board designated as the lead agency. It has been determined that the project will not have a significant effect on the environment.

Distribution

Law Enforcement (2)
R. Wood
L. Kolts
Town of New Windsor Planning Board
L. Powell, Eustance & Horowitz

DEC PERMIT NUMBER

3-3348-00163/00001-0

PROGRAM NUMBER

Page 4 of 4

02/26/1996 17:57 FROM ARGENIO BROS., INC.

TO 19049369099

P.01

PRIVATE ROAD MAINTENANCE DECLARATION

This Declaration made the _____ day of _____, 1996, is intended to refer to Lot Nos. 1, 2, 3, 4 and 5 referred to on a certain subdivision map known as "Plan of Subdivision for Genaro A. Argenio " for lands located in the Town of New Windsor, Orange County, New York prepared by Eustance and Horowitz, P.C., dated September 20, 1995 and last revised February 20, 1996, for which conditional final approval was granted by the Town of New Windsor Planning Board on January 24, 1996, said map to be filed in the Orange County Clerk's Office.

W I T N E S S E T H:

WHEREAS, there exist certain lots known as lots 1, 2, 3, 4, and 5 and also a certain private road designated as Sesame Street which extends from and connects to Station Road in the Town of New Windsor, County of Orange, State of New York referred to on a certain Subdivision map known as "Plan of Subdivision for Genaro A. Argenio," Town of New Windsor, Orange County, New York, prepared by Eustance and Horowitz, P.C. dated September 20, 1995, said map being filed as Filed Map # _____ in the Orange County Clerk's Office simultaneously with the recording of this Declaration; and

WHEREAS, Genaro A. Argenio, residing at 4 Larter Avenue, Newburgh, New York 12550 is the owner of lots 1, 2, 3, and 4, as well as Sesame Street, by reason of a deed from Hans P. Offenborn and Elaine H. Offenborn, 1767 West Smugglers Cove Drive, Gulf Breeze, Florida 32561' dated the _____ day of _____, 1996 to be recorded simultaneously with the recording of this Declaration in the Orange County Clerk's Office; and Hans P. Offenborn and Elaine H. Offenborn are the owners of lot 5, which is known as the remainder parcel, by reason of a deed dated April 22, 1977 and recorded in the Orange County Clerk's Office in Liber 2465 at Page 266; and

Whereas, Sesame Street extends from Station Road into the subdivision to serve lot numbers 1, 2, 3, 4 and 5 on the subdivision plan; and

WHEREAS, all lot owners will gain access to their respective driveways on their respective lots by use of the private road known as Sesame Street; and

WHEREAS, it is in the best interest of all parties, present and future, that will own the aforesaid lots to have rules and regulations that set forth the intent and obligations to maintain the private road in the passable condition and set forth the apportionment of expenses for repair of said road; and

WHEREAS, it is the intention of the undersigned, present owners of all of the property contained in the subdivision, to file this Declaration and to make the provisions of the

Declaration binding upon the lot owners set forth above or any other lot owners that will eventually use the private road.

It is hereby declared as follows:

1. All owners of the aforesaid lots will refer to this Declaration in the Deeds conveying title to all lots on the plat and will cause future owners of these lots to assume the obligations under this Declaration. The rights and obligations herein shall run with the land and be binding upon all subsequent owners of Lots 1, 2, 3, 4 and 5 of Filed Map # _____ in the Orange County Clerk's Office.

2. The owners of the respective lots shall meet at least annually to determine what maintenance shall be done on the road for the coming year. The owners shall also agree on a method of determining when contractors shall be requested to perform maintenance on the right-of-way including the travelled portion of the road, remove snow and sand when snow or ice conditions prevail.

3. All decisions for improvement, repair or maintenance of the right-of-way including the travelled portion of the road shall be made with a majority of the lot owners present, and each lot shall have one equal vote regardless of the length of road between Station Road and its respective driveway.

4. At the first meeting of the lot owners, the initial order of business shall be to elect, by majority vote of those

lot owners present, a "Manager", who shall chair the first such meeting. Thereafter, and at each meeting the lot owners shall elect an individual to act as the Manager of the road. Such Manager shall continue to serve until a successor is elected, even if the Manager's term is for more than one year. Until the time of such meeting, the undersigned Declarant Genaro A. Argenio shall be the Manager, or in the event a Building Permit has been issued to a different lot owner, then the lot owner to obtain the first building permit in the subdivision shall be the initial Manager.

5. Each lot owner shall be responsible for his share of snow plowing and repairs and maintenance, regardless of whether or not a building permit has issued for the construction of a residence on his particular lot.

6. All maintenance expenses of said roadway shall be borne by the lot owners equally, including taxes and insurance. All notices shall be by regular mail to the address on the deed to the lot or the address on the most recent tax bill.

7. The general Manager shall solicit bids from two contractors for all necessary repairs to the road. Upon receipt of an invoice for an expense for the road, the Manager shall immediately notify the respective owners of the total amount of the invoice and their proportionate share of the expense. Within TEN (10) days of the mailing of this notification, the respective lot owner shall forthwith deliver a check made payable to the

contractor to the Manager, who in turn shall forward all checks to the contractor in payment of the obligation.

8. In that event one of the lot owners fails to forward his proportionate share of the expenses within TEN (10) days as set forth above or with respect to snowplowing hereinafter, the Manager shall be authorized to forward to the contractor the portion of the invoice that has been paid with a statement setting forth the proportionate share that remains unpaid and the lot owner that has not paid his share. The lot owner who has not paid his proportionate share shall subject his real property to the lien of the contractor for the performance of the work. For the purpose of this Declaration, each lot owner that is affected hereby gives his authorization and by accepting a Deed to the respective lot, does hereby accept the condition that a majority vote for the performance of work and the acts of the Manager in carrying out the directive of the lot owners shall be done by the Manager as an Agent of the lot owner and the lot owner consents to the Manager's actions and agrees to be bound by them.

Alternatively, in the event a lot owner does not pay his share as required above, the Manager or any other lot owner shall have the right but shall not be required to advance money to the contractor to cover that lot owner's share, and shall then be entitled to recover the sums so advanced in a legal proceeding, together with interest at the rate of 12% per annum, plus costs, fees and reasonable attorney fees; or at the option of the lot owner who advances the money, he may place a lien upon the property of the lot owner in default in the same manner as if he were the contractor who performed the work, and recover the money

so advanced together with interest at the rate of 12% per annum, plus costs, fees and reasonable attorney fees.

9. Unless otherwise agreed among the lot owners, it is hereby declared that in the event that accumulation of snow exceeds THREE (3) inches in depth, as the average depth, the Manager is authorized to engage a contractor to remove the snow from the right-of-way including the travelled portion without further authorization from the lot owners in the same manner as if it had been authorized at a meeting.

10. All lot owners agree that the road shall always be maintained so as to be passable by emergency vehicles and ordinary passenger vehicles. This standard shall include any "potholes" that exceed FOUR (4) inches in depth and shall require grading the road when the difference in elevation of all portions of the traveled area exceeds SIX (6) inches. Additionally, any improvements or conditions affecting the road as required by the Planning Board's approval of the subdivision and as set forth or depicted on the subdivision map shall always be maintained.

11. Each lot owner hereby agrees to indemnify and hold the other lot owners harmless from any and all liability for injury or damage when such injury or damage shall result from, arise out of or be attributable to any maintenance or repair conducted pursuant to this agreement.

12. Each lot owner shall have an easement for ingress and egress over Sesame Street in its entirety, and such easement

shall cover family members, invitees, contractors, grantees, transferees, heirs, successors and assigns.

13. Each lot owner and his heirs, successors and assigns hereby reserves the right to grant easements to utility companies for the purpose of providing utility service to his lot and other lots in the subdivision across his lands and across Sesame Street; and each lot owner agrees to cooperate with other lot owners in the subdivision to grant easements for the benefit of the subdivision and the individual lots.

14. Each lot owner hereby irrevocably offers for dedication to the Town of New Windsor, Orange County, New York that area within the fifty foot right-of-way of the private road known as Sesame Street as indicated on the filed map, said irrevocable offer of dedication to become effective at such time in the future as the then lot owners and the Town of New Windsor agree to accept dedication of Sesame Street as a public highway of the Town of New Windsor pursuant to the Town's laws and regulations.

15. This Declaration shall not obtain in any way with respect to lot 5 on the afore-mentioned filed map, until such time as a building permit shall be secured with respect to lot 5 or any subdivided lot that may obtain a building permit as a result of lot 5 being further subdivided. Notwithstanding the foregoing, the owner or owners of lot 5 or its successors, assigns, transferees, or grantees shall cooperate at all times with respect to paragraph 14 hereinabove.

16. The terms and conditions of this private road maintenance declaration shall run with the land.

GENARO A. ARGENIO

Hans P. Offenborn

HANS P. OFFENBORN

Elaine H. Offenborn

ELAINE H. OFFENBORN

STATE OF NEW YORK)
COUNTY OF ORANGE) s.s.:

On the _____ day of _____, 1996, before me personally came _____ to me known to be individual(s) described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

NOTARY PUBLIC

STATE OF FLORIDA)
COUNTY OF _____) s.s.:

On the 26th day of FEBRUARY, 1996, before me personally came HANS P. OFFENBORN to me known to be individual(s) described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

NOTARY PUBLIC



JAMES F. MCGUIRE
My Comm Exp. 8/31/99
Bonded By Western Surety
No CC492822
☒ Personally Known ☐ Other I.D.

STATE OF _____)
COUNTY OF _____) s.s.:

On the 26th day of FEBRUARY, 1996, before me personally came ELAINE H. OFFENBORN to me known to be individual(s) described in, and who executed the foregoing instrument, and acknowledged that he executed the same.

NOTARY PUBLIC



JAMES F. MCGUIRE
My Comm Exp. 8/31/99
Bonded By Western Surety
No CC492822
☒ Personally Known ☐ Other I.D.

PLANNING BOARD : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Site Plan Subdivision of

Marino Argenio 95-26

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12552.

On January 10, 1996, I compared the 7 addressed envelopes containing the attached Agricultural District Notice with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

Sworn to before me this

10th day of January, 1996

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1997



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

December 27, 1993

Eustance & Horowitz, P.C.
PO Box 42
Circleville, NY 10919

Re: Tax Map Parcel #57-1-89.12

Dear Eustance & Horowitz, P.C.:

According to our records, the attached list of property owners and abutting property owners and owners across any street.

The charge for this service is \$25.00, which was covered by your deposit.

Sincerely,

Leslie Cook *(emo)*

LESLIE COOK
Sole Assessor

/pab
Attachment

ev: Myra Mason

MacPherson, Francis G. & Emma Jean
RF #1, Box 70A
Carleton Mills, NY 12577 ✓

Goldmann, Steven
181 Station Rd.
Rock Tavern, NY 12575 ✓

Itach, Stephen & Deborah
102 Station Rd.
Rock Tavern, NY 12575 ✓

Bradley, Joseph & Rosann
Station Rd.
Rock Tavern, NY 12575 ✓

Hieronymi, Robert & Michele
102 Station Rd.
Rock Tavern, NY 12575 ✓

Kinsley, John & Sharon
Station Rd.
Rock Tavern, NY 12575 ✓

Babcock, Robert & Catherine
PO Box 537
Vails Gate, NY 12584 ✓

Consolidated Rail Corp.
6 Penn Center Plaza
Philadelphia, PA 19103 ✓

Akhtar Safder, Baby Varghese, Abraham Thomas
564 Guail Valley.
Princeton, WV 24740 ✓

9 Above Names

5 Town officials

14 Envelopes

(95-26) ARGENIO SUBDIVISION - STATION ROAD

Mr. Lou Powell appeared before the board for this proposal.

MR. PETRO: Mr. Powell, would you please start with this, tell us what you want to do here?

MR. POWELL: Since we were last here at the end of the September, we have done perc tests and deep holes on the lots, we made an application to the DEC for the wetland permit for the crossing of the private road at that meeting, they requested that we limit the fill as much as we could therefore we're proposing the width of the top from the top of the slope to the top of the slope where the road crosses the wetland at 40 feet which would be adequate for a private road or a town road. We are proposing that they wish us to do some kind of mitigation for the disturbance and we're proposing to put in actually a catch basin which would be about five feet up in the air which would actually flood this area back so that will give him, enhance their wetlands and they are happy with that. The application to them is almost complete except for the negative dec which they need before we can advertise it in the newspaper and that is one thing that we'd like to try and obtain tonight.

MR. PETRO: What would you like to try to ascertain tonight, Paul?

MR. POWELL: Negative dec for SEQRA. The board I believe sent a letter that they were going to be the involved agency and therefore, the DEC cannot issue the negative dec, you'll have to issue it.

MR. PETRO: Is that a lead coordination letter?

MR. EDSALL: Yes.

MR. PETRO: Have you heard back?

MR. EDSALL: It has been over 30 days, yeah, as a matter of fact, the DEC had requested some additional information that was sent out on the first of November

so 30 days have elapsed since we sent out the additional information so as I say in my comment 6, I think you can tonight move forward.

MR. PETRO: Then we can accommodate the applicant and not be not living up to our obligations as far as DEC is concerned.

MR. EDSALL: Yes.

MR. VAN LEEUWEN: How much fill do you have to put in there in the wet area?

MR. POWELL: I think ten feet or so, 10, 12 feet.

MR. VAN LEEUWEN: In depth?

MR. POWELL: Yes.

MR. VAN LEEUWEN: How wide are you going to make that driveway?

MR. POWELL: Well, to the top from top to top will be 40 feet which will accommodate a private road which is 18 feet and leave you with a shoulder or the town's in the middle of doing new road specs and assuming it's going to be 30 or 32, still levels you room on either side for shoulders.

MR. VAN LEEUWEN: Is that going to be blacktopped?

MR. POWELL: Private road specs, I believe call for blacktop, yes.

MR. EDSALL: Oil and chip.

MR. PETRO: That cul-de-sac has to be 100 feet in diameter?

MR. EDSALL: Yes.

MR. VAN LEEUWEN: Skippy's not going to go along with that.

MR. EDSALL: It's 100 foot for the finished roadway

surface for private road and as a matter of fact for town road, they are both the same for finished surface.

MR. VAN LEEUWEN: Skippy wants 120 feet.

MR. PETRO: You're saying to here?

MR. EDSALL: In many cases, Skippy asked for 120 and he's gotten it but the spec is still 100 for private roads, it's definitely 100.

MR. VAN LEEUWEN: I don't see any problem. I'd like to make a motion for neg dec.

MR. STENT: Second it.

MR. EDSALL: Why don't you just for the record affirm as a followup to my comments to you about the timeframes that you are assuming lead agency position at this time.

MR. VAN LEEUWEN: Do we have to take action on the public hearing before we declare negative dec.

MR. VAN LEEUWEN: Nope, we can do it afterward. Have we declared ourselves lead agency?

MR. PETRO: Motion for negative dec.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec to the Argenio major subdivision on Station Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. PETRO: For the minutes, we have fire approval on 12/11/95 and once again, please contact the fire inspector's office to arrange for the road and 911 Mark probably have that in your comments somewhere?

MR. EDSALL: Yeah.

MR. PETRO: Also we have, well, we have water approval on 9/25/95, there's no water out there is there?

MR. VAN LEEUWEN: No.

MR. PETRO: So that is--

MR. VAN LEEUWEN: I'll make a motion to waive public hearing.

MR. KRIEGER: Can't do that.

MR. EDSALL: Can't, it's a major subdivision.

MR. VAN LEEUWEN: That is why I asked. You're right, you have got to set up a public hearing.

MR. EDSALL: Just to get one issue out of the way on comment 2, as Lou indicated, they are trying to minimize the impact on the wetlands at the request of the DEC and what they are doing is rather than developing a normal 50 foot wide plateau they are only having 40 which I believe it would be of some benefit just to get it in the record if all the board agrees.

MR. PETRO: Is that a recommendation from the DEC?

MR. EDSALL: He did it as a recommendation from the DEC that Lou brought to any attention that we attempt to minimize the disturbance at this point, it's a private road, so you can deal with it at some point in the future, they want to propose it as a town road, the town board would have to consider it then.

MR. PETRO: Fire inspector has already given us the nod so I don't think the board should have any problem.

MR. VAN LEEUWEN: I have no problem.

MR. PETRO: 40 instead of 50 going across the wetlands?

MR. LANDER: Yeah, that is all right.

MR. VAN LEEUWEN: Yes.

MR. PETRO: We have quite a few comments from Mark that you can probably address on the plans, I would suggest that we would instruct Myra to set up a public hearing at the next meeting and we can move things along a little further at that time, he can also address some of the comments, clean up the plan, fix the radius or diameter on the cul-de-sac and any other comments that Mark might have here.

MR. STENT: Get a letter from the DEC back by then?

MR. POWELL: They'll then let us know to put the notes in the paper for the permit. I'll have that in hand, they have a 30 day notice period too which will just be passed your public hearing date.

MR. PETRO: You can also inform your client that he should probably at this point pick a name for the road because you're going to have to have it on the plan you're going to have to have some numbering and get it taken care of.

MR. PETRO: Thank you.

MR. PETRO: Contact Myra in her office and I'll make a note here, unfortunately, she's not here but I'd call her tomorrow.

MR. BABCOCK: I'll take care of it all.



NOTICE OF COMPLETE APPLICATION

Applicant: Mr. Genaro ArgenioDate: January 17, 1996Address: 4 Larter AvenueNewburgh NY 12550

Permits applied for and application numbers

Freshwater Wetlands 3-3348-00163/00001-0Project description and location. Town/City of New Windsor County of Orange

The applicant proposes to construct approximately 115 linear feet of a paved road across DEC Freshwater Wetland MB-29 (Class II) to provide access to a proposed 5 lot subdivision.

The project is located east of Station Road approximately 8,000 feet south of the intersection with NYS Route 207 in the Town of New Windsor, Orange County.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) DETERMINATION. (Check appropriate box)

- ☐ SEQR-1 Project is not subject to SEQR because it is an exempt, excluded or a Type II action.
- ☐ SEQR-2 Project is a Type I action and will not have a significant effect on the environment. A Negative Declaration is on file and a coordinated review with other agencies performed.
- ☒ SEQR-3 Project is an unlisted action and will not have a significant effect on the environment, a Negative Declaration is on file:
- ☒ A—coordinated review performed ☐ B—no coordinated review performed.
- ☐ SEQR-4 A draft environmental impact statement has been prepared on this project and is on file.
- ☐ SEQR-5 A final environmental impact statement has been prepared on this project and is on file.
- ☐ SEQR-6 Project is an Unlisted Action. Mitigation measure required by the Lead Agency will modify the proposed action so that no significant adverse environmental impacts will result. A Conditioned Negative Declaration is on file

SEQR LEAD AGENCY Town of New Windsor Planning Board

STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION: (Check appropriate box)

- ☐ SHPA-0 The proposed project is not subject to SHPA review
- ☒ SHPA-1 No registered, eligible or inventoried archeological or historic sites were identified at the project location
- ☐ SHPA-2 Based on an assessment, the proposed project will not cause any change to registered, eligible or inventoried archeological or historic sites
- ☐ SHPA-3 A cultural resources survey is on file. No archeological or historic sites were identified at the project location
- ☐ SHPA-4 A cultural resources survey is on file. The NYS Office of Parks, Recreation and Historic Preservation has determined that the proposed activity will have no impact on registered or eligible archeological or historic sites
- ☐ SHPA-5 A cultural resources survey is on file. The NYS Office of Parks, Recreation and Historic Preservation has determined that the proposed activity will have an impact on registered or eligible archeological or historic sites

AVAILABILITY FOR PUBLIC COMMENT.

The application may be reviewed at the address to the right. Written comments on the project must be submitted to the Contact Person by no later than:

February 9, 1996

CONTACT PERSON:

Cheryl O'Brien *COB*

NYSDEC, 21 SOUTH PUTT CORNERS ROAD
NEW PALTZ, NY 12561

TEL.# (914) 256-3050

1. THIS IS NOT A PERMIT

Argenio.nca (II)

- 2 This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.
- 3 Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held, the final decision will be made within 60 days after the hearing is completed.

- 4 Publication of this Notice in a newspaper is: ☐ required ☒ not required
- If required, please consult the accompanying transmittal letter for further instructions

CC: L. Kolts
L. Powell, Eustance & Horowitz
Town of New Windsor Planning Board

CC. Chief Executive Officer SUPERVISOR Town of New Windsor
Environmental Notice Bulletin, Room 509, 50 Wolf Road, Albany, N.Y. 12233-4500
File

cc: M.E.

APPLICANT

ARGENIO, GENARO SUBDIVISION (95-21) STATION ROAD

Mr. Lou Powell from Eustance and Horowitz appeared before the board for this proposal.

MR. POWELL: I'm Lou Powell from Eustance and Horowitz and I'm here on behalf of Genaro Argenio on an application to subdivide 28 plus acres into five lots. Property is on Station Road in the R-1 zone which requires 43,000 square foot lots.

MR. VAN LEEUWEN: Can you speak a little louder so she can hear you?

MR. POWELL: We're proposing a private road to service the 5 lots, the lots range in size from 1.5 acres plus which is lot 4 to the largest which is the remaining parcel lot 5 which is some 16 acre parcel. We are proposing individual wells and septic, we'll be required to obtain a permit from the New York State DEC for crossing a, they are protected wetlands and basically that is it.

MR. PETRO: Mark, the DEC permit that you are talking about which is near the front of the property, they are crossing part of the wetlands there, right, is that correct?

MR. EDSALL: Yes.

MR. PETRO: So, it is already in place though, right?

MR. EDSALL: The permit?

MR. PETRO: Yes?

MR. EDSALL: I'm not aware of a permit being obtained as of yet, so they need the DEC permit.

MR. LANDER: Mr. Chairman, do we have the original map that this piece was broken off from? You follow what I am saying, '94, was it?

MR. PETRO: Yes, '94.

MR. EDSALL: I looked at that, Ron, the sanitary and house location looked to match in with that plan.

MR. LANDER: I'm trying to familiarize myself.

MR. POWELL: That was a subdivision of the existing house of some 13 acres off the total parcel.

MR. VANE LEUWEN: Who is the prior owner?

MR. POWELL: Offenborn, Mr. Argenio's under contract to purchase the property, the record owner is Mr. Offenborn and subdivider is Mr. Argenio.

MR. LANDER: I'm just trying to figure out.

MR. PETRO: This is the remaining piece that was subdivided or not subdivided but was broken off?

MR. POWELL: There was a 2 lot subdivision, this 13 acre parcel was taken off and that left 28 acres.

MR. PETRO: I see a crossing of the wetlands also on the original plan.

MR. BABCOCK: They just showed that because they had to show a house location.

MR. POWELL: The fact is there's a wetland here and there's a wetland here, the existing mapping did not show the two connected, that proposed driveway went through what was not at that point connected, there was a note that a permit was required, if necessary. We have done a delineation of the wetland and it does, the two pieces do connect, so there's a strip connecting the two wetlands.

MR. PETRO: Planning board issue lead agency coordination letter to begin the SEQRA process.

MR. DUBALDI: Form of a motion?

MR. VAN LEEUWEN: Do we have to go through the SEQRA process?

MR. LANDER: Mr. Chairman, just one question now are we going to run into a problem with him subdividing this again, this piece here?

MR. BABCOCK: No, it's a major subdivision, Ron.

MR. VAN LEEUWEN: No, it's not.

MR. EDSALL: By law it's a major subdivision. You're concerned about the County Health. The fifth acre, the fifth lot five acres or less has not yet been created so no, it's not a realty subdivision which means it does not have to go to the County.

MR. VAN LEEUWEN: You know what, I have got a suggestion, I have no problem with the subdivision whatsoever, I know where the land is, I suggest that maybe if he gets DEC permit and comes back to us, it should be no problem but to do an agency coordination letter for a four or five lot subdivision, I don't see where that is necessary.

MR. LANDER: This is going to be a private road, right?

MR. POWELL: Private road.

MR. VAN LEEUWEN: Traffic is going to be minimal.

MR. LANDER: No, I didn't have any problem with the subdivision, I'm just trying to see if there's any problems that you might have at the next meeting.

MR. PETRO: We can clear up a couple things.

MR. VAN LEEUWEN: Well, you can always take this road and bring it up to town specs, turn it back over to the town, you can do that.

MR. LANDER: Still cost him even though he does it, still going to cost him a lot of money.

MR. PETRO: You have the list, Mark's list of comments, I would suggest that you go over those and put on the map or clean up what you can, such as the 911, adding some detail and some notes, in the meantime, you should

get your letter to the DEC and get going with the permit.

MR. POWELL: We have a date with them, October 5th.

MR. PETRO: Once you receive that and I have a note here on my calendar.

MR. VAN LEEUWEN: Then we can proceed. It's just setting in the right direction, I think just Mark's comments no one has, we can poll the board, no one has a problem with the subdivision, just a matter of doing it properly and getting it done right and addressing the comments. Why did you want lead agency ordination letter to go out?

MR. EDSALL: Because it's a state law.

MR. PETRO: That's a good reason.

MR. VAN LEEUWEN: It's a state law now?

MR. EDSALL: Has been since probably 15 years, whenever, there's more than one agency involved, you have an opportunity either to do an uncoordinated review or coordinated review. DEC for a small subdivision usually does not like several reviews, they want one agency to review it so alls we'd be doing is saying we want to be lead agency, they'll say yes or no and then they'll say you take care of SEQRA and we'll close out the process. It's not a DEIS, just a letter saying we want to be lead agency.

MR. PETRO: I think that we should still authorize that to be sent. In the meantime, should receive and try to obtain DEC permit for the crossing of the wetlands and clean up some of Mark's comments.

MR. GENARO ARGENIO: On this subdivision, is it possible, I don't know what the timeframe is on the DEC permit. I am the owner of the property.

MR. VAN LEEUWEN: You're contract vendee.

MR. ARGENIO: I don't know what it takes to get a DEC

permit, not being through this before, is it possible to get an approval pending DEC permit at some point in time?

MR. PETRO: No, because I think it's too much and if you don't receive the permit, how can we?

MR. VAN LEEUWEN: You can't do that Gerry.

MR. KRIEGER: Apparently this project falls within the requirements of the state agricultural district law, which they are complying with, they are getting a list, they are going to mail the notification. It will be necessary before approval however that the board discuss and put on the record what impacts this will have on the agricultural production of food and other products and I'm quoting from the statute here, the natural and ecological value of the district, this is not terribly defined but it is necessary that the board put some discussion on the record showing that they looked at its impact before final approval, nothing else is required, but they have to do that. And as I say, you can't grant final approval yet until he sends out the agricultural notifications which he's in the process of doing.

MR. PETRO: Okay, that is not what you wanted to hear but the law is the law. Anything else?

MR. POWELL: No.

MR. PETRO: Okay, thank you.

MR. KRIEGER: This project, you might want to add that to the checklist discussion of agricultural to make sure we have something.

MR. EDSALL: There is no permits required, right?

MR. KRIEGER: No.

MR. EDSALL: So as far as SEQRA, there's no other agencies we have to notify.

MR. KRIEGER: No, there's no other agencies, just a

question of sending the notification out and the planning board showing that they considered it.

MR. EDSALL: I think we just have to make sure when the board reaches their conclusion on SEQRA and makes a determination that there's something in the minutes.

MR. KRIEGER: That may be the appropriate time, we have to make sure there's some discussion.

MR. PETRO: Mark, you're going to get the coordination letter out?

MR. EDSALL: Yeah, I'll take care of that. Myra will remind me.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: ARGENIO MAJOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 89.12
PROJECT NUMBER: 95-26
DATE: 27 SEPTEMBER 1995
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE
28.66 +/- ACRE PARCEL INTO FIVE (5) SINGLE-FAMILY
RESIDENTIAL LOTS. THE PLAN WAS REVIEWED ON A
CONCEPT BASIS ONLY.

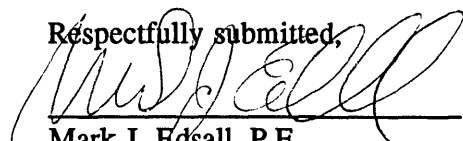
1. This is a "follow-up" application to the previous Hans Offenborn minor subdivision, Planning Board Application 94-16 (stamp of approval 28 September 1994). The Offenborn subdivision was a two (2) lot minor subdivision. Lot 2 of that subdivision is now proposed for subdivision into five (5) lots as part of this application.
2. The subdivision appears to easily comply with the minimum bulk requirements for the R-1 Zoning District.
3. Some initial comments with regard to this subdivision are as follows:
 - a. It appears that the Applicant must obtain a Freshwater Wetlands Permit from the DEC for the crossing of NYSDEC MB-29 which is near the front of the property.
 - b. The Applicant should submit information in support of the basis of the selection of the 15" pipe for the road crossing within the wetlands. This pipe size should also be accepted by the NYSDEC.
 - c. At this time, sanitary disposal system locations are depicted only. The Board should decide if the deep test and percolation tests must be witnessed by representatives of this office.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: ARGENIO MAJOR SUBDIVISION
PROJECT LOCATION: STATION ROAD
SECTION 57-BLOCK 1-LOT 89.12
PROJECT NUMBER: 95-26
DATE: 27 SEPTEMBER 1995

- d. The private road detail should also include indication of the materials and application rate for the double surface treatment.
 - e. A note should be added to the plan clearly indicating that the sanitary disposal system for proposed Lot 5 shall be constructed in accordance with the details and approval from Application 94-16.
- 4. As per the 911 policy/procedures adopted by the Town, this project will require assignment of street name and numbering during the Planning Board review process.
 - 5. The Planning Board may wish to authorize the issuance of a Lead Agency Coordination Letter to begin the SEQRA review process.
 - 6. The Planning Board should consider scheduling the necessary **Public Hearing** for this **Major Subdivision**, as required under Paragraph 4 of the Subdivision Regulations.
 - 7. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

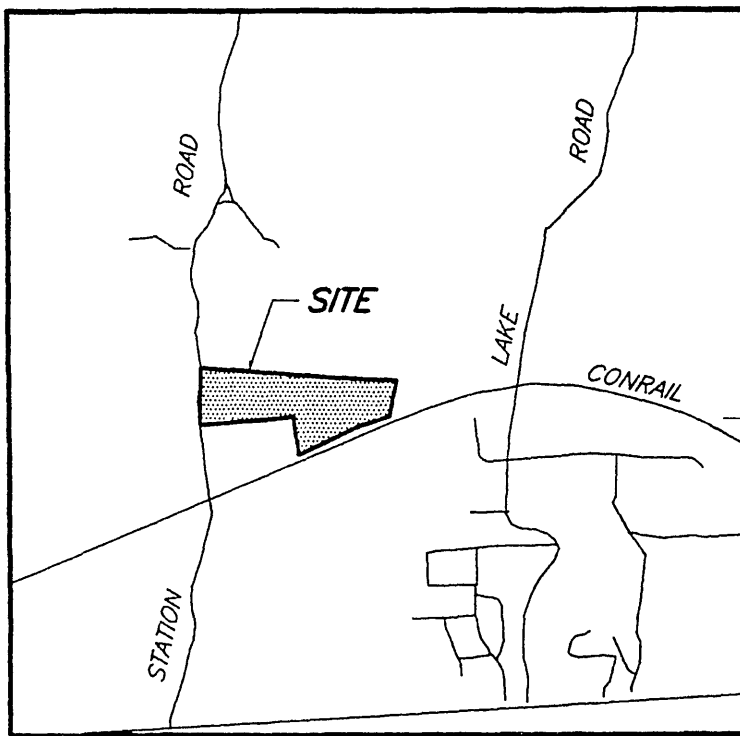
Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:ARGENIO.mk



LOCATION PLAN

SCALE: 1" = 2000' SOURCE: U.S.G.S.

RECEIVED ^{Sept} AUG 23 1995

"XX"

95 - 26

SEQR

14-16-4 (2/87)-Text 12

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Genaro A. Argenio	2. PROJECT NAME Genaro A. Argenio
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Station Road 8000' south of its intersection with Route 207	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: 5 lot subdivision of 28.66 acres	
7. AMOUNT OF LAND AFFECTED: Initially 28.66 acres Ultimately 28.66 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Single Family Residence and Farm Land	
10. DOES ACTION INVOLVE A PERMIT APPROVAL OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals NYSDEC Freshwater Wetland Permit	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/Sponsor name Eustance & Horowitz, P.C. Date 9/1/95	
Signature <i>[Signature]</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

October 10, 1995

Eustance & Horowitz
P. O Box 42
Circleville, N. Y. 10919

RE: TAX MAP PARCEL 57-1-89.12

Dear Sirs:

According to our records, the attached list of property owners are within the agricultural district which is within five hundred (500) feet of the above referenced property.

The charge for this service is \$25.00 which you already paid in the form of a deposit.

Sincerely,

LESLIE COOK
Sole Assessor

Attachment
cc: Myra Mason

* Agricultural District-Parcels within 500 ft. of property

57-1-89.11 Goldmann, Steven 181 Station Road Rock Tavern, N. Y. 12575	No exemption ✓
57-1-89.12 Offenborn, Hans P. & Elaine Station Road Rock Tavern, N. Y. 12575	No exemption ✓
57-1-94 Hieronymi, Robert & Michele 162 Station Road Rock Tavern, N. Y. 12575	No exemption ✓
57-1-96.21 Hein, Alfred & Lillian Station Road Rock Tavern, N. Y. 12575	No exemption ✓
57-1-124 Babcock, Robert P. & Catherine J. P. O. Box 537 Vails Gate, N. Y. 12584	No exemption ✓
57-1-125 Babcock, Robert P. & Catherine P. O. Box 537 Vails Gate, N. Y. 12584	Has exemption ✓
57-1-126 Consolidated Rail Corp. 6 Penn Center Plaza Philadelphia, PA 19103	No exemption ✓

7 envelopes

GÉNARO ARGENIO

DATE: 10/5/55
DESIGNER: DK
SHEET 1 OF 1

[illegible]

RECEIVED
JUN 19 1995

1. 10/1/2011

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name:

Comment:

Solve For Actual Depth

Given Input Data:

Diameter.....	1.25 ft
Slope.....	0.0327 ft/ft
Manning's n.....	0.012
Discharge.....	3.60 cfs

Computed Results:

Depth.....	0.46 ft
Velocity.....	8.88 fps
Flow Area.....	0.41 sf
Critical Depth....	0.77 ft
Critical Slope....	0.0055 ft/ft
Percent Full.....	36.50 %
Full Capacity.....	12.65 cfs
QMAX @.94D.....	13.61 cfs
Froude Number.....	2.70 (flow is Supercritical)

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name:

Comment:

Solve For Actual Depth

Given Input Data:

Diameter.....	1.25 ft
Slope.....	0.0440 ft/ft
Manning's n.....	0.012
Discharge.....	6.10 cfs

Computed Results:

Depth.....	0.56 ft
Velocity.....	11.41 fps
Flow Area.....	0.53 sf
Critical Depth....	1.00 ft
Critical Slope....	0.0080 ft/ft
Percent Full.....	44.94 %
Full Capacity.....	14.68 cfs
QMAX @.94D.....	15.79 cfs
Froude Number.....	3.07 (flow is Supercritical)

DRAINAGE — RUNOFF —

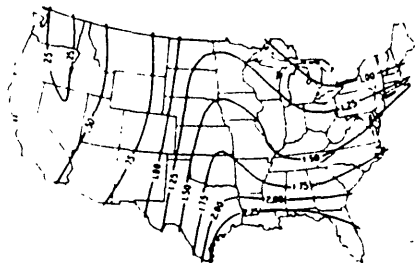


FIG. A. - ONE-HOUR RAINFALL, IN INCHES, TO BE EXPECTED ONCE IN 2 YEARS.

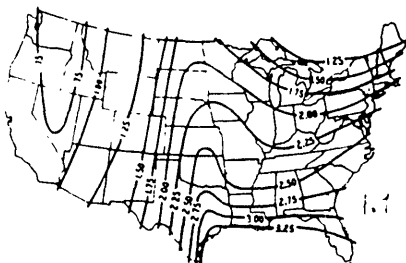


FIG. B. - ONE-HOUR RAINFALL, IN INCHES, TO BE EXPECTED ONCE IN 10 YEARS.

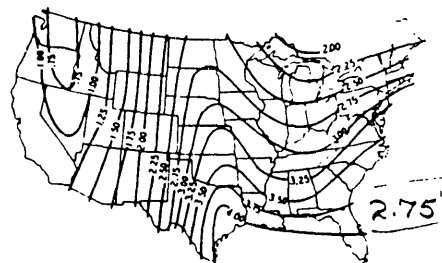


FIG. C. - ONE-HOUR RAINFALL, IN INCHES, TO BE EXPECTED ONCE IN 50 YEARS.

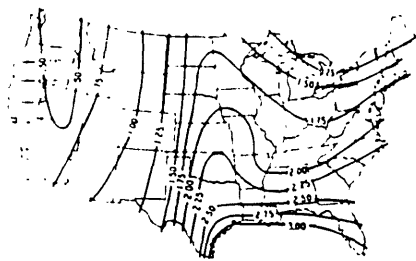


FIG. D. - ONE-HOUR RAINFALL, IN INCHES, TO BE EXPECTED ONCE IN 5 YEARS.

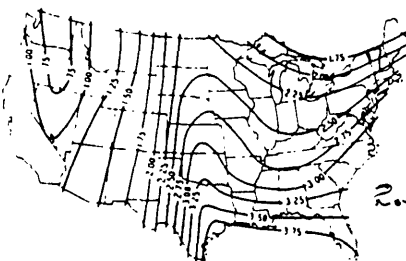


FIG. E. - ONE-HOUR RAINFALL, IN INCHES, TO BE EXPECTED ONCE IN 25 YEARS.

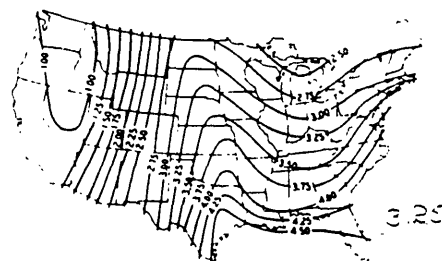


FIG. F. - ONE-HOUR RAINFALL, IN INCHES, TO BE EXPECTED ONCE IN 100 YEARS.

COMPUTATION OF i IN RATIONAL FORMULA.

EXAMPLE: Assume expectancy period = 5 years, See Fig. D, assume locality, find 1 hour intensity = 1.75 in. per hour.

FIG. G-INTENSITY EXPECTATION FOR ONE-HOUR RAINFALL.

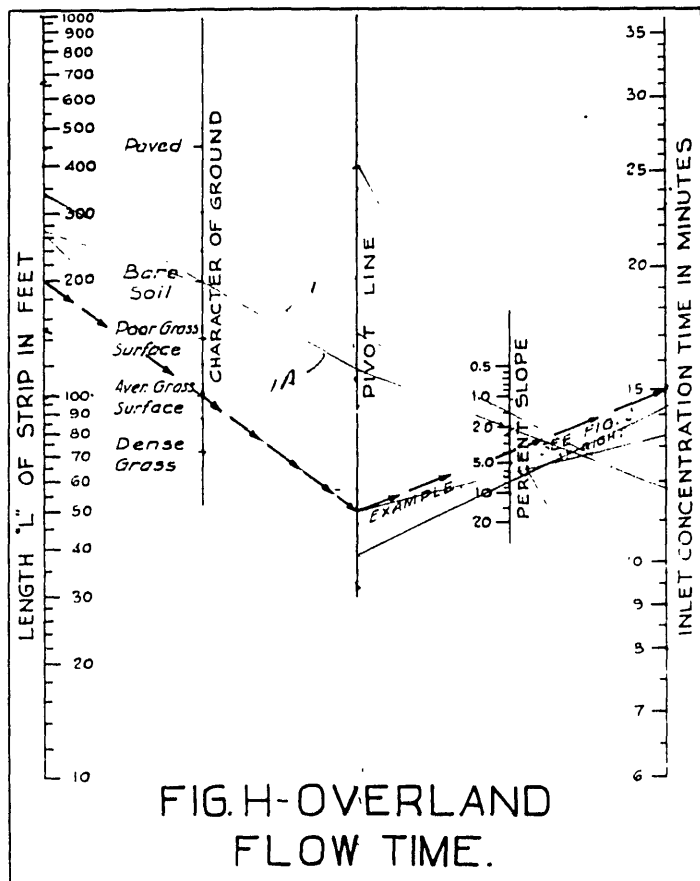


FIG. H-OVERLAND FLOW TIME.

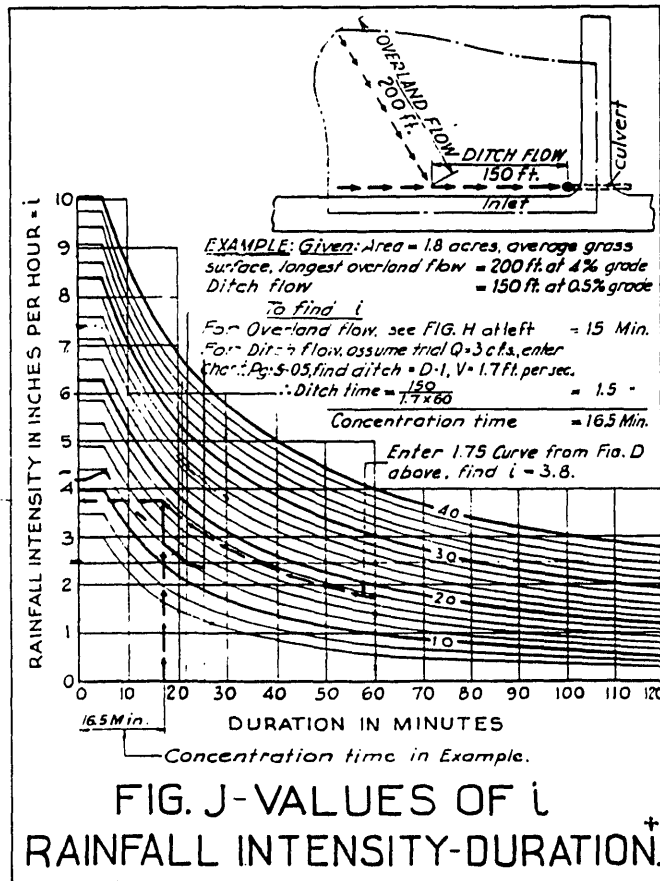


FIG. J-VALUES OF i RAINFALL INTENSITY-DURATION.

* Reproduced from Miscellaneous Publication No. 204, U.S. Dept. of Agriculture, by David L. Yarnell.
 + Adapted from Engineering Manual of the War Department, Part XIII Chap. I, Dec. 45

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS			P.B.#95-26 ESCROW	1515
DATE		AMOUNT	ARGENIO BROTHERS INC. RUSCITI RD., P.O. BOX 2068 NEWBURGH, NY 12550	
Re: Genaro & Lisa Argenio			<i>565-2007</i> 9-20-19 95	
TOTAL OF INVOICES			50-235 611 219	
LESS % DISCOUNT			9-20-19 95	
LESS FREIGHT			\$ 675.00	
LESS			THE SUM 675 DOLLARS 00 CTS	
TOTAL DEDUCTIONS			DOLLARS	
AMOUNT OF CHECK			THE BANK OF NEW YORK 280 Broadway Newburgh, NY 12550	

PAY TO THE ORDER OF Town of New Windsor

THE SUM 675 DOLLARS 00 CTS

DOLLARS

THE BANK OF NEW YORK
 280 Broadway
 Newburgh, NY 12550

Genaro Argenio

⑈001515⑈ ⑆021902352⑆ ⑈6800584130⑈



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95 - 26

DATE PLAN RECEIVED: RECEIVED JAN 11 1996 Rev 2

The maps and plans for the Site Approval _____
Subdivision ✓ _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved ✓ _____,
disapproved _____.

If disapproved, please list reason _____

W. James Sullivan 01-17-96
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553



1763

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~WATER~~, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95-26

DATE PLAN RECEIVED: RECEIVED DEC - 6 1995

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

Genaro A. Argente has been

reviewed by me and is approved L

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT DATE

Steve D. D. - CAH 12-8-95
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 95 - 26

DATE PLAN RECEIVED: RECEIVED JAN 11 1996 Rev 2

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Genaro A. Argenio has been

reviewed by me and is approved ☒

disapproved ☐.

~~If disapproved, please list reason~~ _____

There is no town water in this
area.

HIGHWAY SUPERINTENDENT DATE

Steve D. D. D. Camo - 1-15-96
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **95 - 26**

DATE PLAN RECEIVED: **RECEIVED AUG 23 1995**

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

Genaro A. Argenio has been

reviewed by me and is approved ☒

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

There is no town water in this

area -

HIGHWAY SUPERINTENDENT DATE

Stan D.D. Camo- 9-25-95

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

95-26

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD



176 TYPE OF APPLICATION (check appropriate item):

Subdivision X Lot Line Chg. _____ Site Plan _____ Spec. Permit _____

1. Name of Project Subdivision for Genaro A. Argenio

2. Name of Applicant Genaro A. Argenio Phone 914-565-2007

Address 4 Larter Avenue, Newburgh, NY 12550
(Street No. & Name) (Post Office) (State) (zip)

3. Owner of Record Hans Offenborn Phone 904-939-9960

Address 1767 W. Smugglers Cove Dr., Gulf Breeze, FL. 32561
(Street No. & Name) (Post Office) (State) (zip)

4. Person Preparing Plan Eustance & Horowitz, P.C.

Address PO Box 42, Circleville, NY 10919
(Street No. & Name) (Post Office) (State) (zip)

5. Attorney Duggan, Crotty & Dunn Phone 562-6500

Address Temple Hill Road, New Windsor, NY 12550
(Street No. & Name) (Post Office) (State) (zip)

6. Person to be notified to represent applicant at Planning Board Meeting Eustance & Horowitz, P.C. Phone 914-361-4541
(Name)

7. Project Location: On the East side of Station Road
(street)
8000' feet South of Route 207 intersection
(direction) (street)

8. Project Data: Acreage of Parcel 28.66 Zone R-1,
School Dist. 332002 Washingtonville Central School

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y X N _____

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 57 Block 1 Lot 89.12

11. General Description of Project: Subdivision of 28.66 acre parcel
into 5 lots.

12. Has the Zoning Board of Appeals granted any variances for
this property? yes X no.

13. Has a Special Permit previously been granted for this
property? yes X no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the
property owner, a separate notarized statement from the owner
must be submitted, authorizing this application.

(STATE OF NEW YORK)

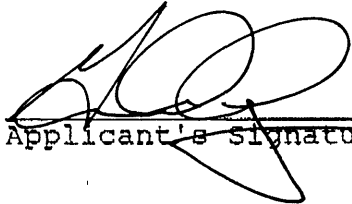
SS.:

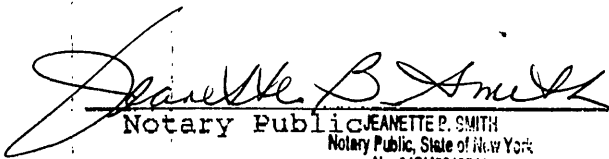
(COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and
states that the information, statements and representations
contained in this application and supporting documents and
drawings are true and accurate to the best of his/her knowledge
and/or belief. The applicant further acknowledges responsibility
to the Town for all fees and costs associated with the review of
this application.

Sworn before me this

20th day of Sept 1995


Applicant's signature


Notary Public JEANETTE P. SMITH
Notary Public, State of New York
No. 01SM5018540
Qualified in Ulster County
Commission Expires September 27, 1997

TOWN USE ONLY:

RECEIVED AUG 23 1995

Date Application Received

95 - 26

Application Number

RECEIVED AUG 23 1995

If Applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST

I. The following items shall be submitted with a COMPLETED
Planning Board Application Form.

1. X Environmental Assessment Statement
- *2. X Proxy Statement
3. X Application Fees
4. X Completed Checklist

II. The following checklist items shall be incorporated on the
Subdivision Plat prior to consideration of being placed on
the Planning Board Agenda.

1. X Name and address of Applicant.
- *2. X Name and address of Owner.
3. X Subdivision name and location.
4. X Tax Map Data (Section-Block-Lot).
5. X Location Map at a scale of 1" = 2,000 ft.
6. X Zoning table showing what is required in the
particular zone and what applicant is
proposing.
7. X Show zoning boundary if any portion of
proposed subdivision is within or adjacent
to a different zone.
8. X Date of plat preparation and/or date of any
plat revisions.
9. X Scale the plat is drawn to and North Arrow.
10. X Designation (in title) if submitted as
Sketch Plan, Preliminary Plan or Final Plan.
11. X Surveyor's certification.
12. X Surveyor's seal and signature.

*If applicable.

13. X Name of adjoining owners.
14. X Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. N/A Flood land boundaries.
16. X A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. X Final metes and bounds.
18. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19. X Include existing or proposed easements.
20. X Right-of-Way widths.
21. X Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. X Lot area (in square feet for each lot less than 2 acres).
23. X Number the lots including residual lot.
24. X Show any existing waterways.
- *25. X A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. X Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. X Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

95-26

29. X Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. X Provide "septic" system design notes as required by the Town of New Windsor.
31. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. N/A Indicate percentage and direction of grade.
33. N/A Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. X Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. ~~Planning Board~~ Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. ~~To Be Added At Final Approval~~ A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By:  D.L.S.
Licensed Professional

Date: 9-20-95

RECEIVED AUG 23 1995

IF APPLICABLE "XX"

**This form to be completed only if you answer "yes" to question #9 on the application form.

AGRICULTURAL DATA STATEMENT

1. Name and Address of Applicant:

Genaro A. Argenio

2. Description of proposed project and its locations:

East side of Station Road-Proposed 5 lot subdivision

3. Name and address of any owner of land within the Agricultural District:

4. Name and address of any owner of land containing farm operations located within 500 feet of the boundary of the subject property.

Robert Babcock, PO Box 537 Vails Gate, NY 12584

5. A map is submitted herewith showing the site of the proposed project relative to the location of farm operations identified in this statement.

RECEIVED AUG 23 1995

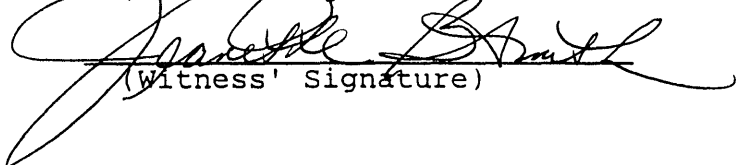
"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARDGenaro A. Argenio, deposes and says that he
(Applicant)resides at 4 Larter Avenue, Newburgh, NY 12550
(Applicant's Address)in the County of Orangeand State of New Yorkand that he is the applicant for the subdivision forGenaro A. Argenio
(Project Name and Description)

which is the premises described in the foregoing application and

that he has authorized Eustance & Horowitz, P.C.
(Professional Representative)

to make the foregoing application as described therein.

Date: 9-6-95
(Owner's Signature)
(Witness' Signature)THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

PROXY STATEMENT

RECEIVED AUG 23 1995

for submittal to the

95 - 26

TOWN OF NEW WINDSOR PLANNING BOARD

HANS OFFENBORN, deposes and says that he
resides at 1767 W. Smugglers Cove Drive, Gulf Breeze, Florida 32561
(Owner's Address)

in the County of Santa Rosa

and State of Florida

and that he is the owner in fee of Tax Map Parcel 57-1-89.12

containing 28.6± Acres

which is the premises described in the foregoing application and

that he has authorized Genaro A. Argenio

to make the foregoing application as described therein.

Date: Sept 5. 95

Hans P. Offenborn
(Owner's Signature)

Shirley Werns Kennedy
(Witness' Signature)

RECEIVED AUG 2 1995

"XX"

95 - 26

SEQR

14-16-4 (2/87)-Text 12

PROJECT I.D. NUMBER

617.21

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Genaro A. Argenio	2. PROJECT NAME Genaro A. Argenio
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Station Road 8000' south of its intersection with Route 207	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: 5 lot subdivision of 28.66 acres	
7. AMOUNT OF LAND AFFECTED: Initially 28.66 acres Ultimately 28.66 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Single Family Residence and Farm Land	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals NYSDEC Freshwater Wetland Permit	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Eustance & Horowitz, P.C. Date: 9/1/95	
Signature: <i>[Handwritten Signature]</i> Agent for G. Argenio	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date



LEGEND

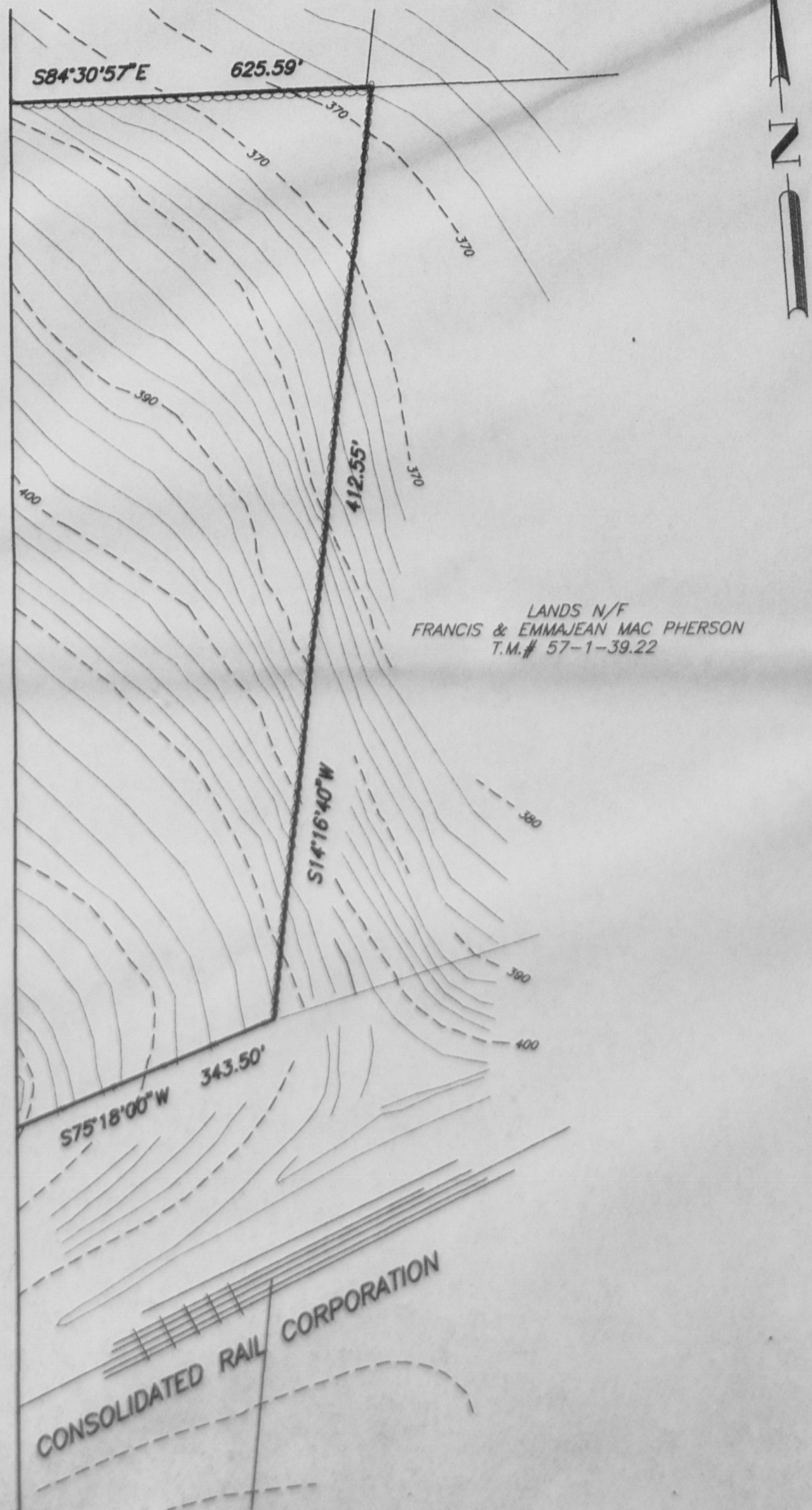
- NYS DEC WETLAND BOUNDARY
- 100' BUFFER
- STONE WALL
- EXISTING FENCE
- PROPOSED WELL
- PROPOSED HOUSE
- PROPOSED SDS
- LOT NUMBER
- G.F.E.
- FRENCH DRAIN
- STREET NUMBER

ZONE DISTRICT - R1

TABLE OF MINIMUM DISTANCES

	TABLE OF MINIMUM DISTANCES				
REQUIRED	PROPOSED				
	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5
	(NO DEED STRIP)		(NO DEED STRIP)		
43,560 S.F.	215,808	92,363	160,451	74,496	702,427 S.F.
43,560 S.F.	199,872	84,163	143,378	67,417	700,185 S.F.
125 FT.	618	370	680	335	680 FT.
70 FT.	639	272	690	225	74 FT.
45 FT.	138	92	59	65	235 FT.
50 FT.	93	84	141	116	950 FT.
20 FT.	89	78	146	43	230 FT.
40 FT.	567	315	632	281	738 FT.
35 FT.	35	35	35	35	35 FT.
10 %	10	10	10	10	10 %
1200 S.F.	1200+	1200+	1200+	1200+	1200+ S.F.
NA	13,066	NA	13,114	NA	NA S.F.

AREA OF PROPOSED LOTS: 1,195,015 S.F. OR 27.4344 ACRES
AREA OF PROPOSED R.O.W.: 50,530 S.F. OR 1.1602 ACRES
AREA OF PROPOSED DEDICATION STRIP: 2,758 S.F. OR 0.0633 ACRES
AREA OF OVERALL PARCEL: 1,248,303 S.F. OR 28.6578 ACRES



NOTES

- TAX MAP # 57-1-89.12
- TOTAL AREA: 28.664 ACRES
- ZONING DISTRICT: R1
- TOTAL NUMBER OF LOTS: 5
- BOUNDARY SURVEY BY: EUSTANCE AND HOROWITZ, P.C.
- TOPOGRAPHICAL SURVEY FROM AERIAL PHOTO
- NYS DEC FRESHWATER WETLANDS (MB-29) AS SHOWN FROM FIELD DELINEATION BY EUSTANCE AND HOROWITZ, P.C.
- PRIVATE ROAD: ROAD MAINTENANCE AGREEMENT TO BE FILED IN THE TOWN CLERK'S OFFICE AND THE ORANGE COUNTY CLERK'S OFFICE.

OWNERS REVIEW AND CONCURRENCE

Francis P. Offenberg
I HAVE REVIEWED THIS PLAN AND CONCUR WITH THE INFORMATION SHOWN.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY DONE IN SEPTEMBER 1987 AND UPDATED IN JUNE 1984.

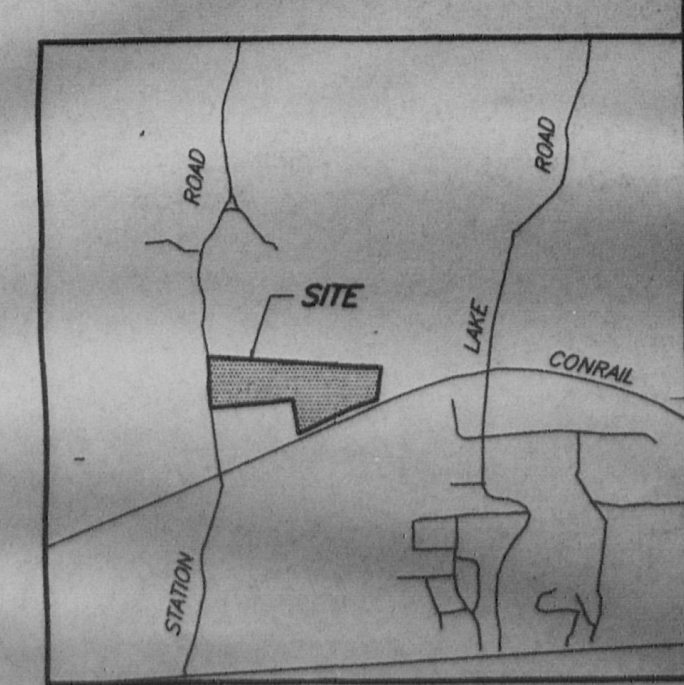
By: [Signature]
N.Y.S. LICENSE # 12345

RECORD OWNER:

HANS OFFENBORN
1767 W. SMOUGLERS COVE DRIVE
GOLF BREEZE, N.Y. 12521

SUBOWNER:

GENARO A. ARGENIO
4 LANTIER AVENUE
NEWBURGH, NY 12550



LOCATION PLAN
SCALE: 1" = 2000' SOURCE: U.S.G.S.

SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR - 7 1986
By: [Signature]
EDWARD STEN
SECRETARY

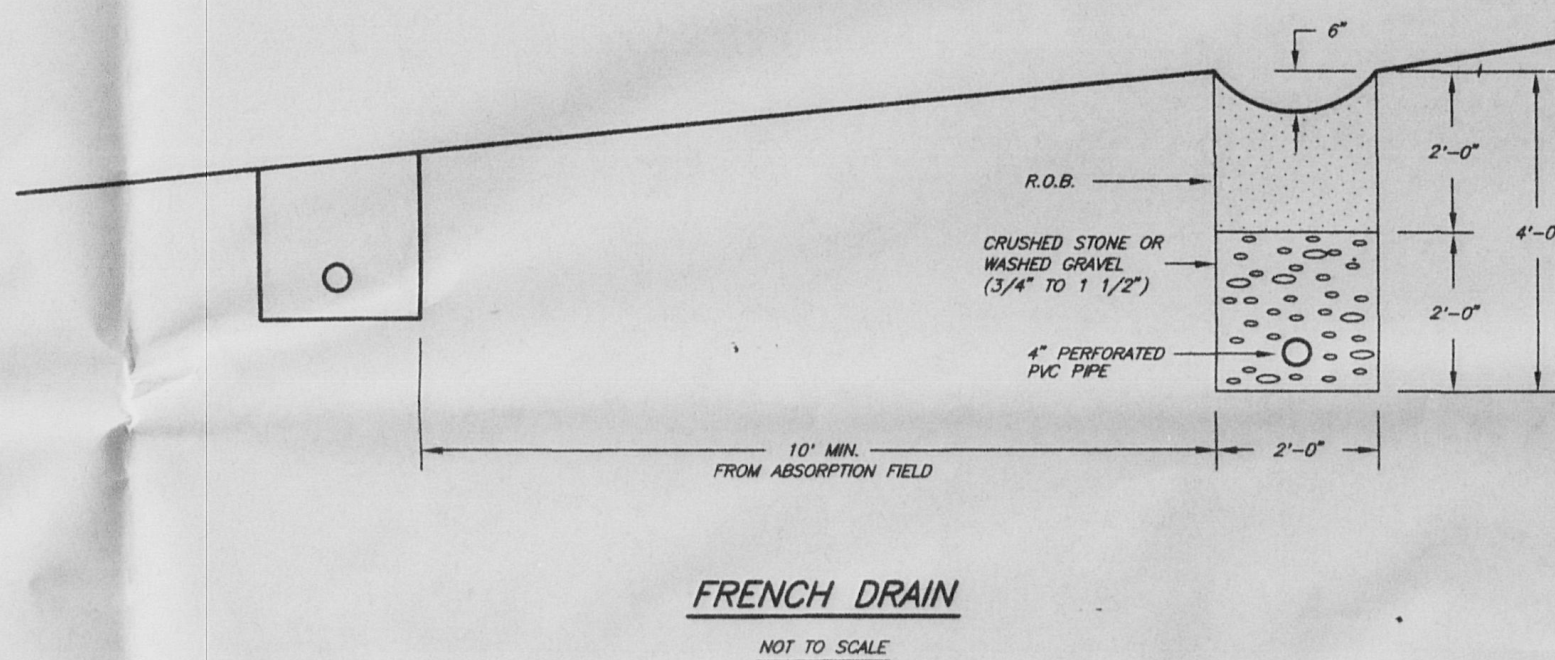
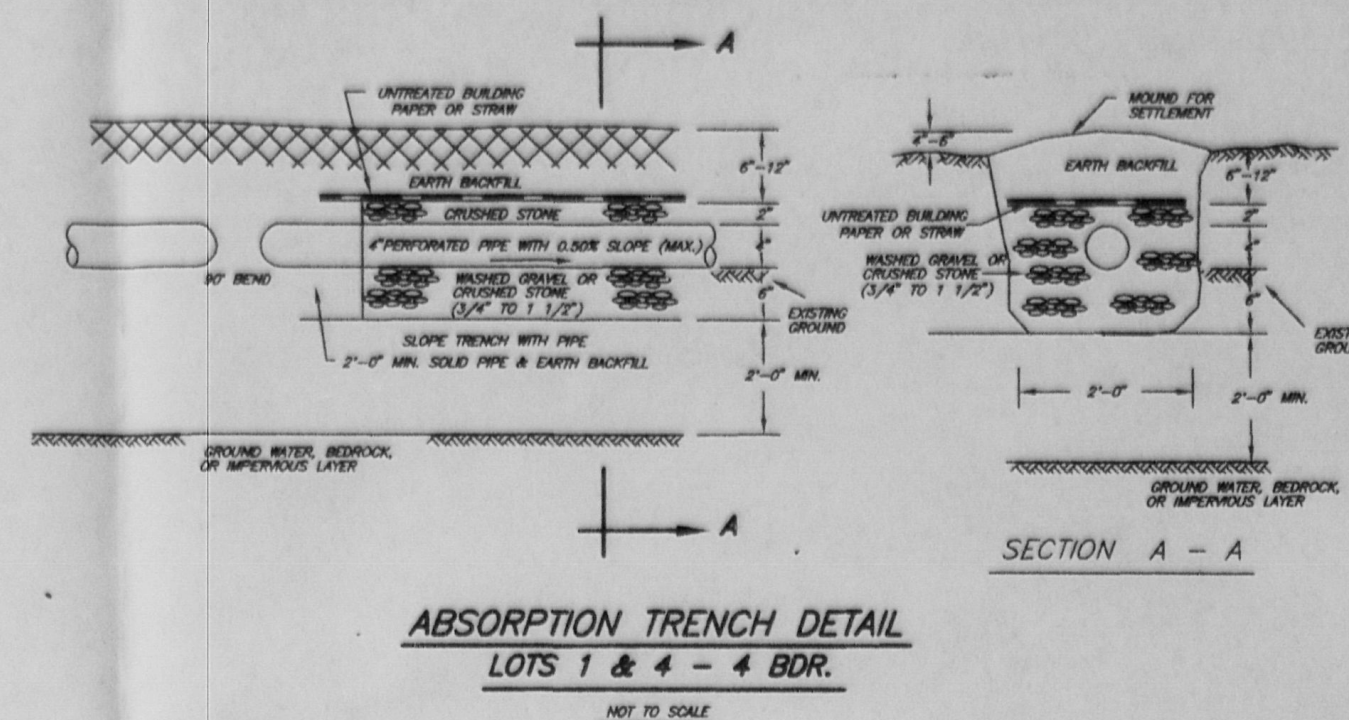
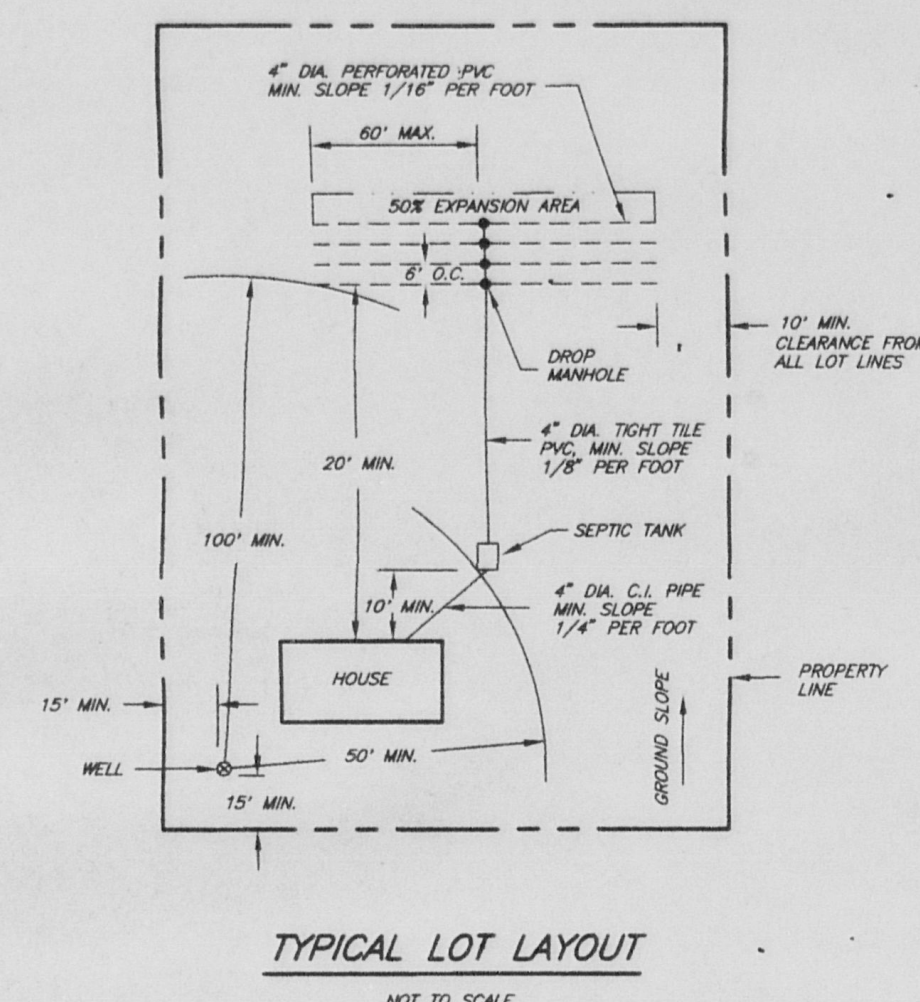
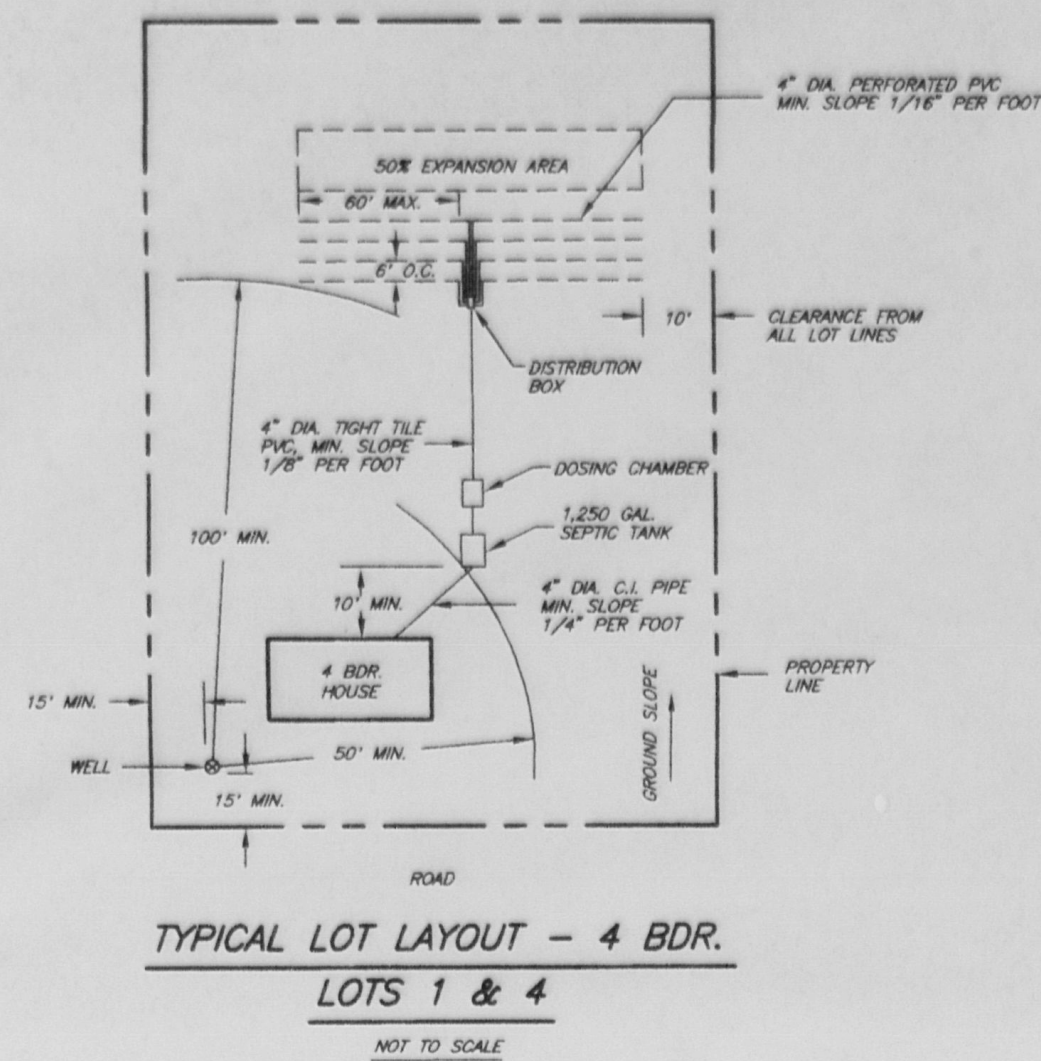
PLAN OF SUBDIVISION
FOR
GENARO A. ARGENIO

TOWN OF NEW WINDSOR
SCALE: 1" = 50'
SHEET 1 OF 3
ORANGE COUNTY, N.Y.
SEPTEMBER 20, 1995

DRAWN BY: [Signature]
CHKD BY: [Signature]
EUSTANCE & HOROWITZ, P.C.
P. O. BOX 42 CIRCLEVILLE, NEW YORK 10918
DRG. # 550545

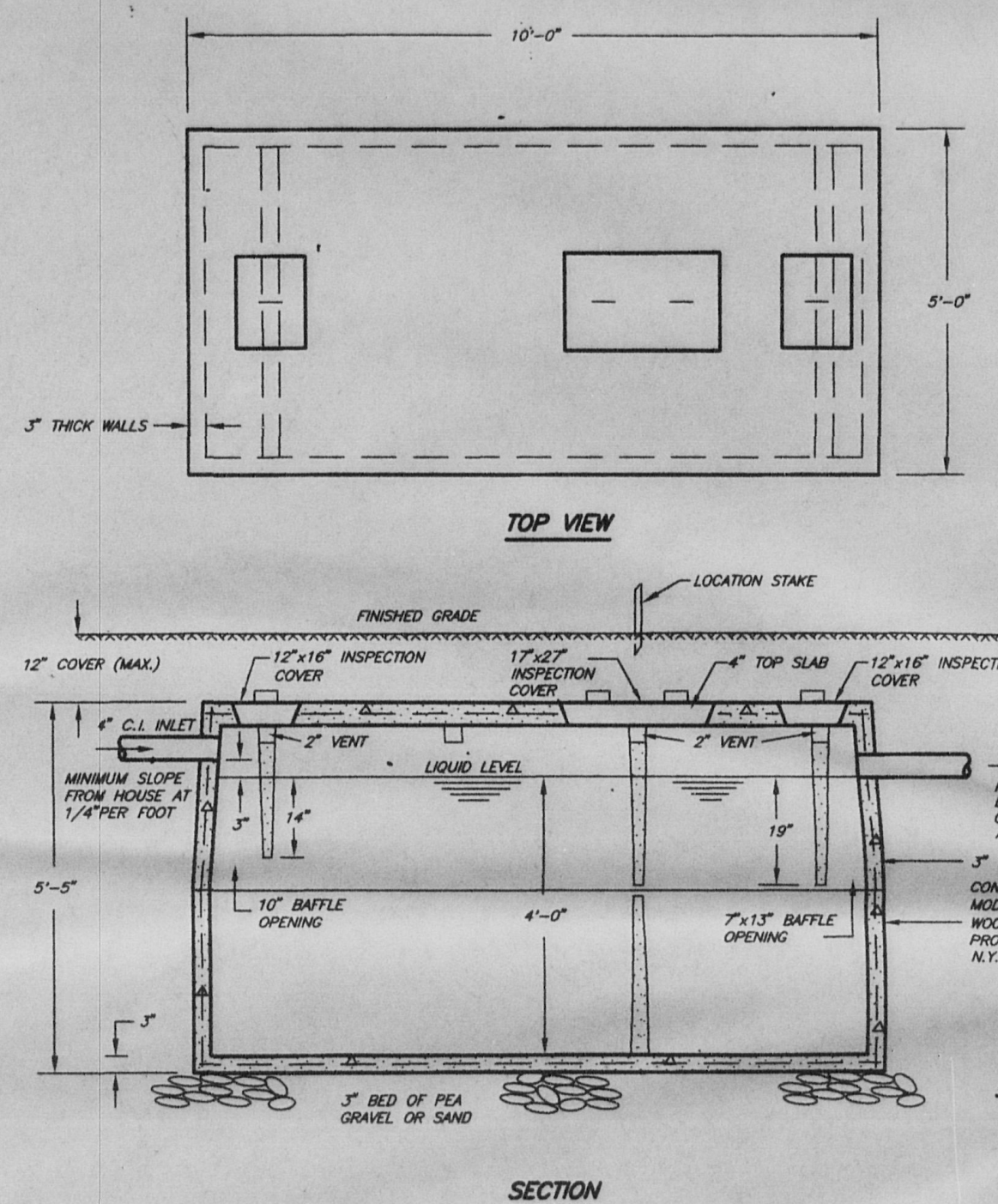
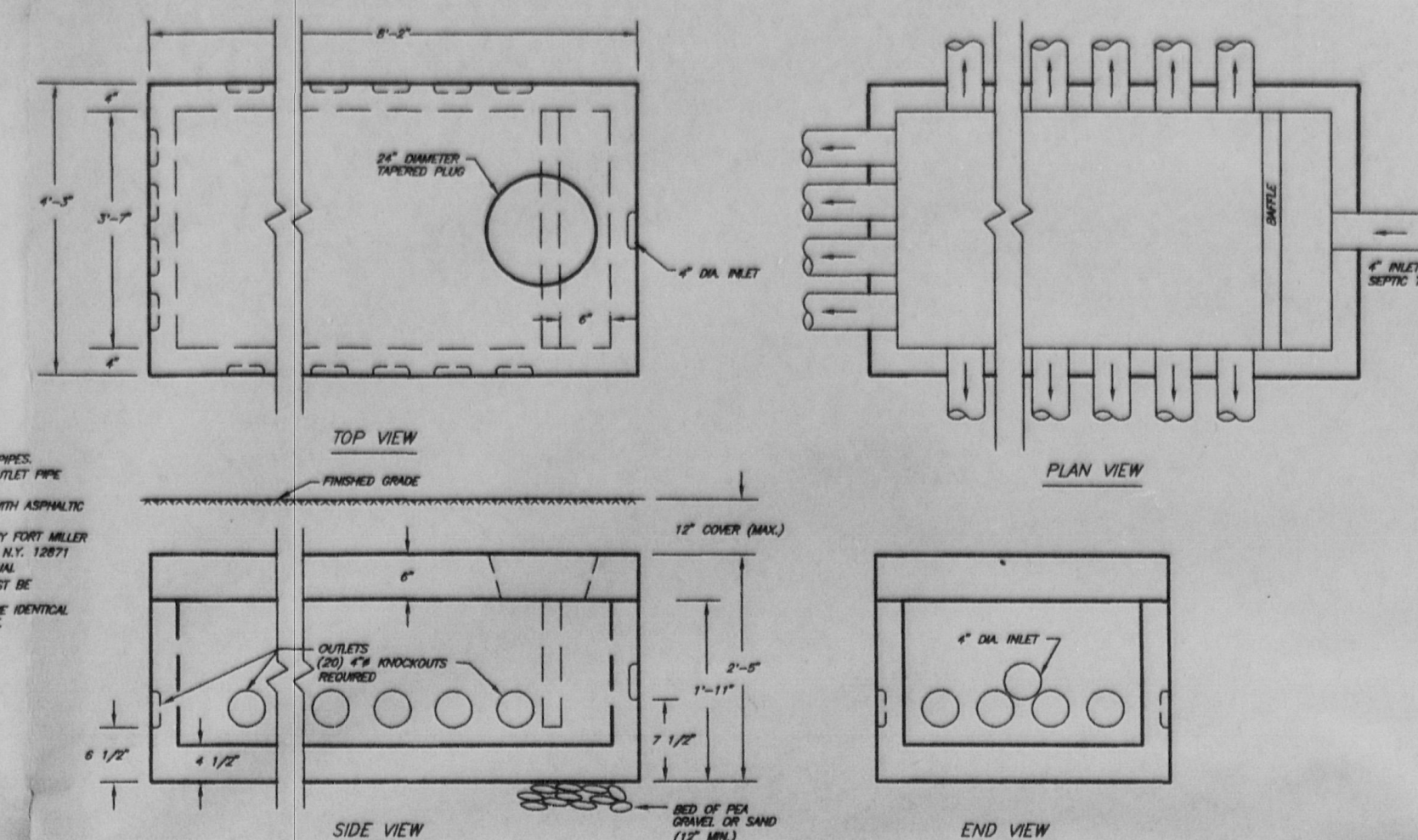
UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN BEARING A LICENSED PROFESSIONAL'S SEAL IS A VIOLATION OF SECTION 2209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS PLAN MARKED WITH AN ORIGINAL PROFESSIONAL'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.



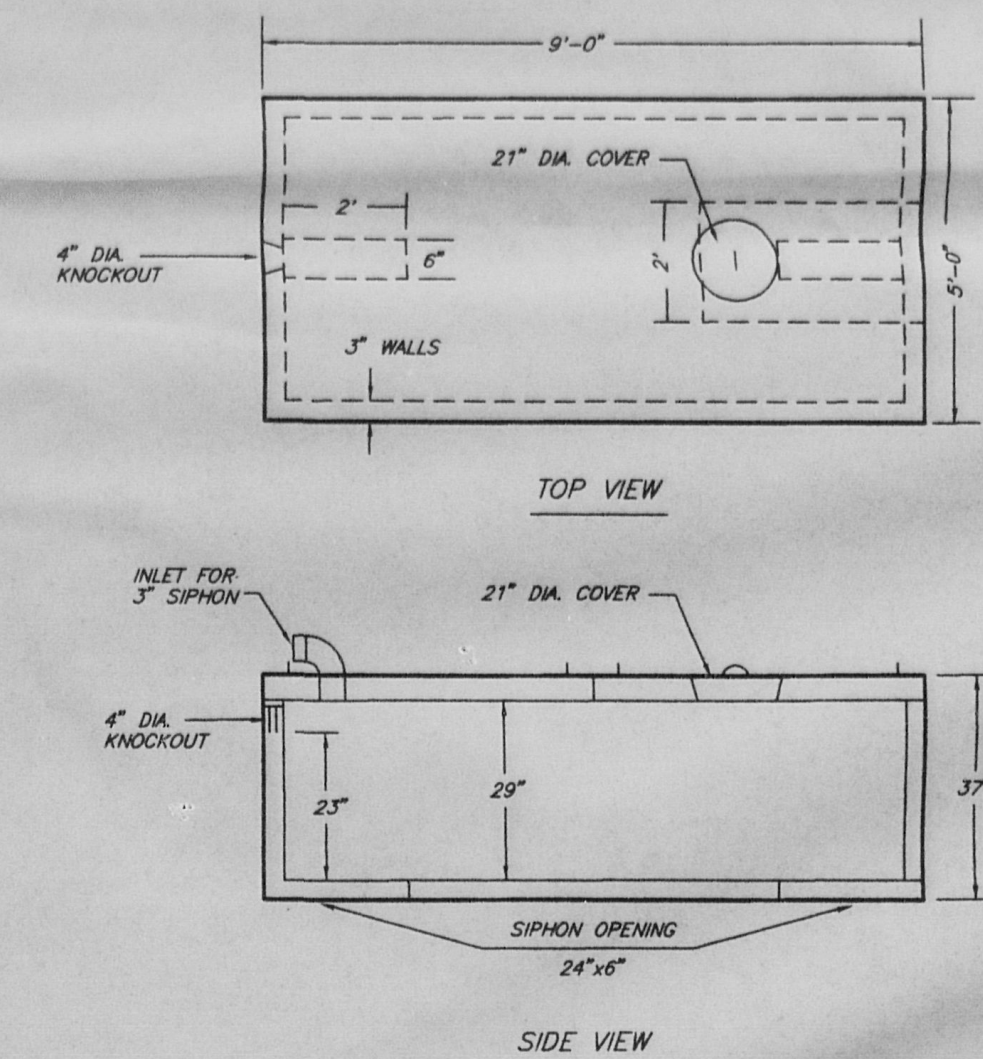
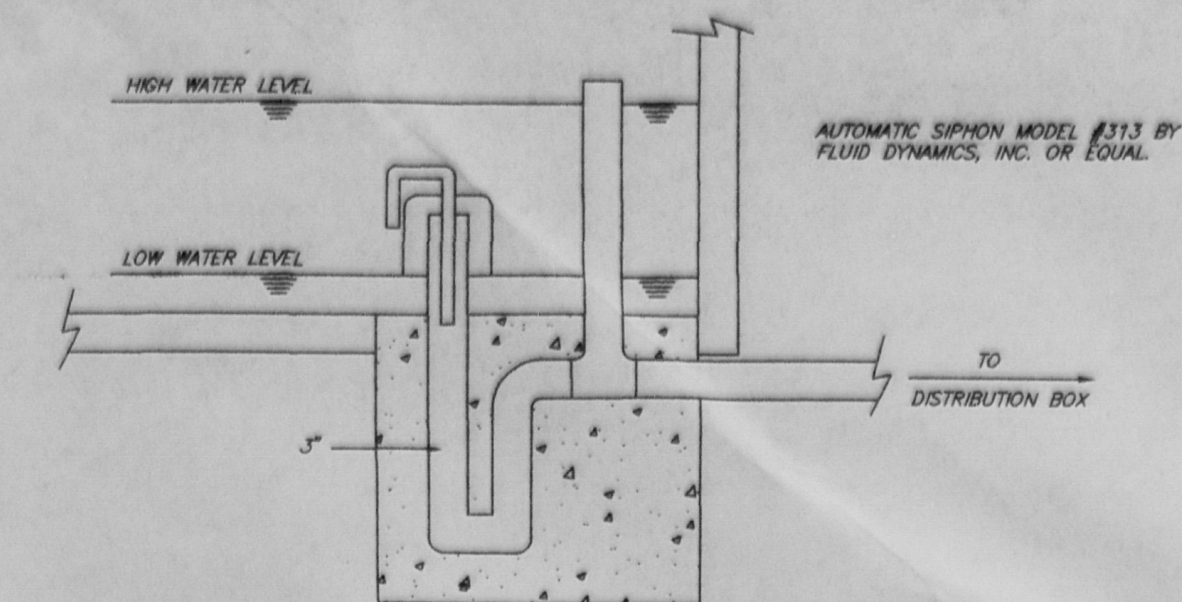
NOTES

1. 4" OUTLETS TO DISTRIBUTION BOXES SHALL BE 1/4" PER FOOT.
2. MINIMUM SLOPE OF EACH OUTLET PIPE SHALL BE 1/4" PER FOOT.
3. PIPE JOINTS TO BE SEALED WITH ASPHALTIC MATERIAL.
4. PRECAST DISTRIBUTION BOX BY FIVE HALLER P.O. BOX 80, SCOTTSVILLE, KY 40241.
5. INVERT OF ALL OUTLETS MUST BE IDENTICAL.
6. ALL OUTLET PIPES SHALL HAVE SUFFICIENT SLOPE FOR FLOW.



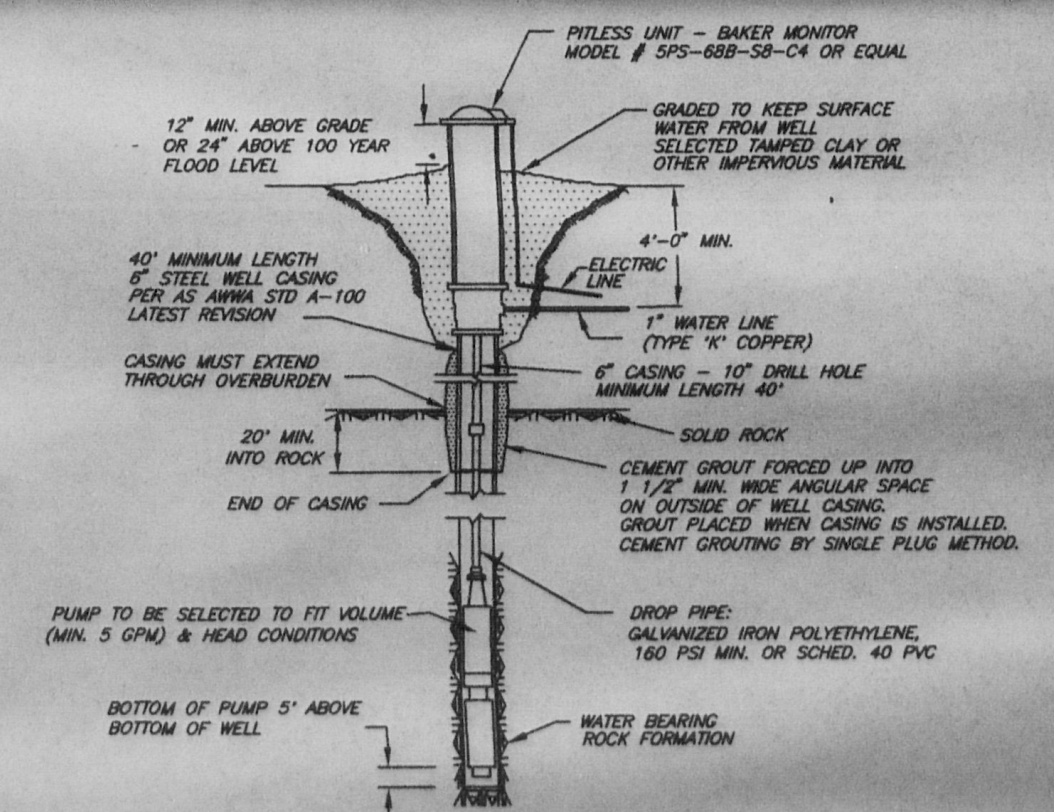
NOTE

1. AN ASPHALTIC SEAL SHALL BE APPLIED BETWEEN CONTACT SURFACES OF THE TANK AND ALL INSPECTION COVERS.



NOTE

1. FOR LOT #1, POUR A CONCRETE WEDGE IN BOTTOM 2" TO 2 1/2" TO DRAIN TO SIPHON.



NOTES

1. CONSTRUCTION OF SEWAGE DISPOSAL SYSTEM, ABSORPTION TRENCH, ETC., SHALL BE OBSERVED BY A PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN NEW YORK STATE.
2. CERTIFICATION THAT THE INSTALLATION HAS BEEN MADE IN ACCORDANCE WITH APPROVED PLANS WILL BE MADE TO THE PROPER COUNTY OFFICE OF THE NEW YORK STATE DEPARTMENT OF HEALTH, OR AS REQUIRED BY THE TOWN OF NEW WINDSOR.
3. CERTIFICATION IS REQUIRED PRIOR TO OCCUPANCY AND MUST INCLUDE THE WELL, ALL SEPTIC TANK JOINTS ARE TO BE SEALED AND TESTED FOR WATER-TIGHTNESS.
4. THE PURCHASER OF THIS LOT MUST BE SUPPLIED WITH A COPY OF THE APPROVED PLANS AND AN ACCURATE RECORD PLAN OF ANY EXISTING SANITARY FACILITY.
5. SEWAGE DISPOSAL SYSTEMS SHALL BE MAINTAINED BY A LICENSED PROFESSIONAL, PRIOR TO CONSTRUCTION.
6. DO NOT INSTALL TRENCHES IN WET SOIL.
7. RAKE SIDES AND BOTTOM OF TRENCH PRIOR TO PLACING GRAVEL.
8. END OF ALL DISTRIBUTION PIPES MUST BE PLUGGED.
9. A MINIMUM OF 4" OF UNDISTURBED SOIL MUST BE AVAILABLE BETWEEN TRENCHES OR CLEANOUTS. CLEANOUTS SHALL BE PLUGGED AND SEALED WITH NON-SHRINK GROUT OR EQUIVALENT.
10. THERE WILL BE NO REGRADING OR COMPACTING IN THE AREA OF THE PROPOSED TILE FIELD.
11. SEPTIC FIELDS ARE NOT TO BE RELOCATED FROM THE APPROVED LOCATIONS.
12. CELLAR, ROOF AND FOOTING DRAINS SHALL NOT BE DISCHARGED INTO THE SEPTIC SYSTEM OR IN THE VICINITY OF THE TILE FIELD.
13. NO DRIVEWAY SHALL BE PLACED OVER ANY PORTION OF THE TILE FIELD.
14. ANY CHANGE IN DIRECTION OF SOLID SEWAGE PIPE WILL REQUIRE A MANHOLE OR CLEANOUT. CLEANOUTS SHALL BE PLACED NO FURTHER APART THAN 75 FEET.
15. PLUMBING FIXTURES LOCATED IN THE BASEMENT MAY REQUIRE SPECIAL DESIGN AND APPROVAL.
16. THE REMAINING LANDS OR LOTS ARE NOT TO BE FURTHER SUBDIVIDED WITHOUT APPROVAL FROM THE PLANNING BOARD.
17. PLANS ARE INCOMPLETE UNLESS THEY BE THE ENGINEER'S SEAL AND SIGNATURE.
18. THIS SHEET IS INCOMPLETE AND INVALID UNLESS ACCOMPANIED BY EACH OTHER SHEET OF THIS SET.

SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON **MAR - 7 1996**
BY *Edward A. Argento*
SECRETARY

DETAIL SHEET

FOR
GENARO A. ARGENTO

TOWN OF NEW WINDSOR
SCALE: AS SHOWN

ORANGE COUNTY, N.Y.
SEPTEMBER 20, 1995

SHEET 2 OF 3

DRAWN BY: ALPINA
CHKD BY: T.P.

EUSTANCE & HOROWITZ, P.C.
P.O. BOX 48 CINCINNATI, NEW YORK 10512

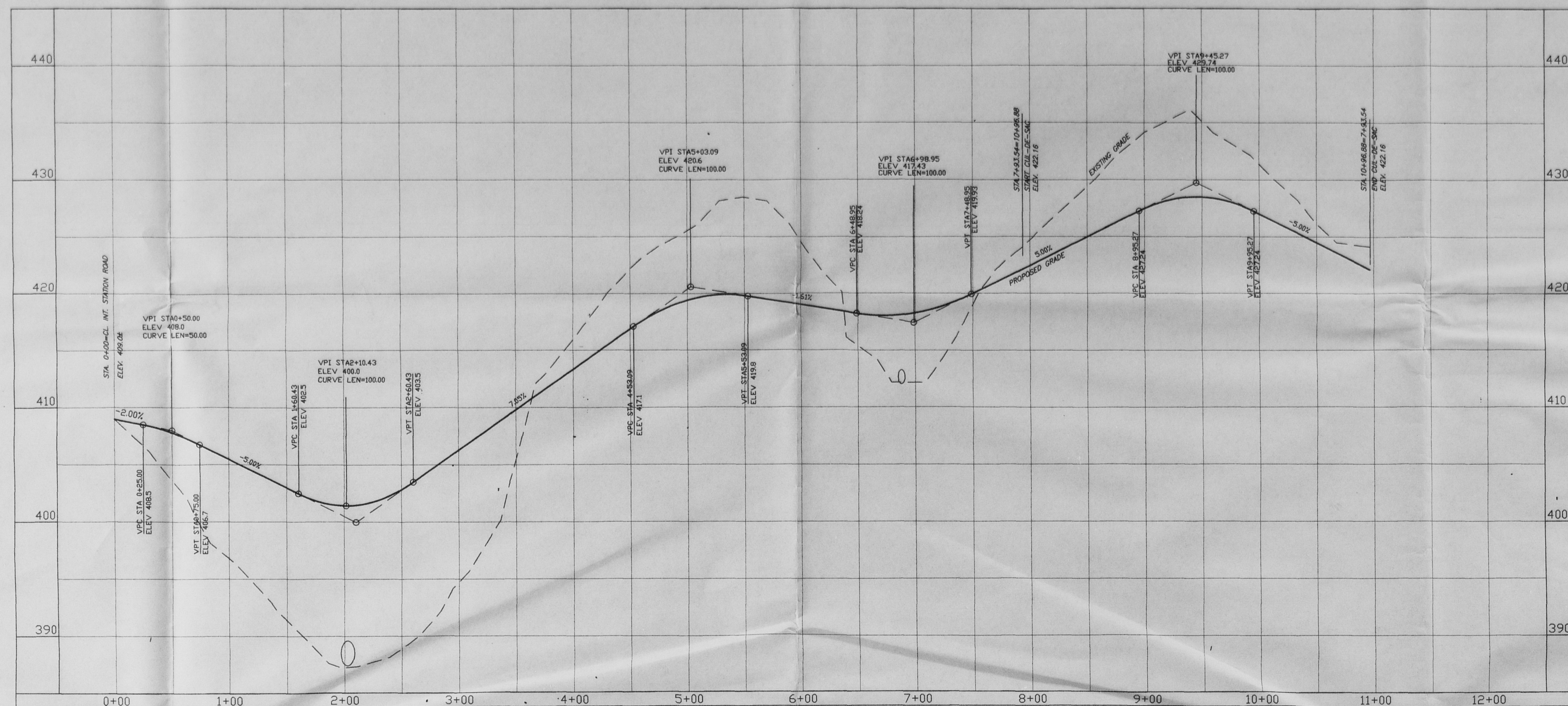
DATE: 9/5/95

PERCOLATION TEST DATA				
LOT No.	TEST PIT No.	DEPTH OF HOLE	DESCRIPTION	GROUNDWATER/BEDROCK
1	A	0'-5"	TOPSOIL	NONE
		5'-4.5"	GRAVELLY SILT LOAM (GRAYISH BROWN)	
		4.5'-8"	GRAVELLY SILT LOAM (BROWN)	
		0'-8"	TOPSOIL	
		0'-4"	GRAVELLY SILT LOAM (GRAYISH BROWN)	
2	A	0'-8"	TOPSOIL	NONE
		0'-4"	SILT LOAM (GRAYISH BROWN)	
		0'-8"	CHANNERY SILT LOAM (BROWN)	
		0'-10"	TOPSOIL	
		10'-4"	SILT LOAM (GRAYISH BROWN)	
3	A	0'-8"	TOPSOIL	NONE
		0'-3.5"	GRAVELLY SILT LOAM (GRAYISH BROWN)	
		3.5'-8"	GRAVELLY SILT LOAM (BROWN)	
		0'-8"	TOPSOIL	
		0'-4"	GRAVELLY SILT LOAM (GRAYISH BROWN)	
4	A	0'-10"	TOPSOIL	NONE
		10'-4"	CHANNERY SILT LOAM (GRAYISH BROWN)	
		0'-8"	TOPSOIL	
		0'-8"	CHANNERY SILT LOAM (GRAYISH BROWN)	
		3'-8"	CHANNERY SILT LOAM (BROWN)	

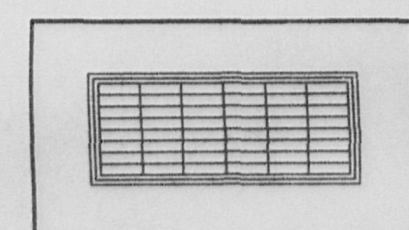
SEWAGE DISPOSAL SYSTEM DESIGN				
LOT #	TEST #	PERC. RATE (MIN.)	DESIGN RATE	LENGTH OF TILE 3 BORN 4 BORN
1	1	41"	31-45	320'
	2	41"	31-45	320'
2	1	22"	21-30	325'
	2	17"	21-30	325'
3	1	28"	21-30	325'
	2	8"	46-60	433'
4	1	48"	46-60	578'
	2	39"	46-60	578'

NOTE

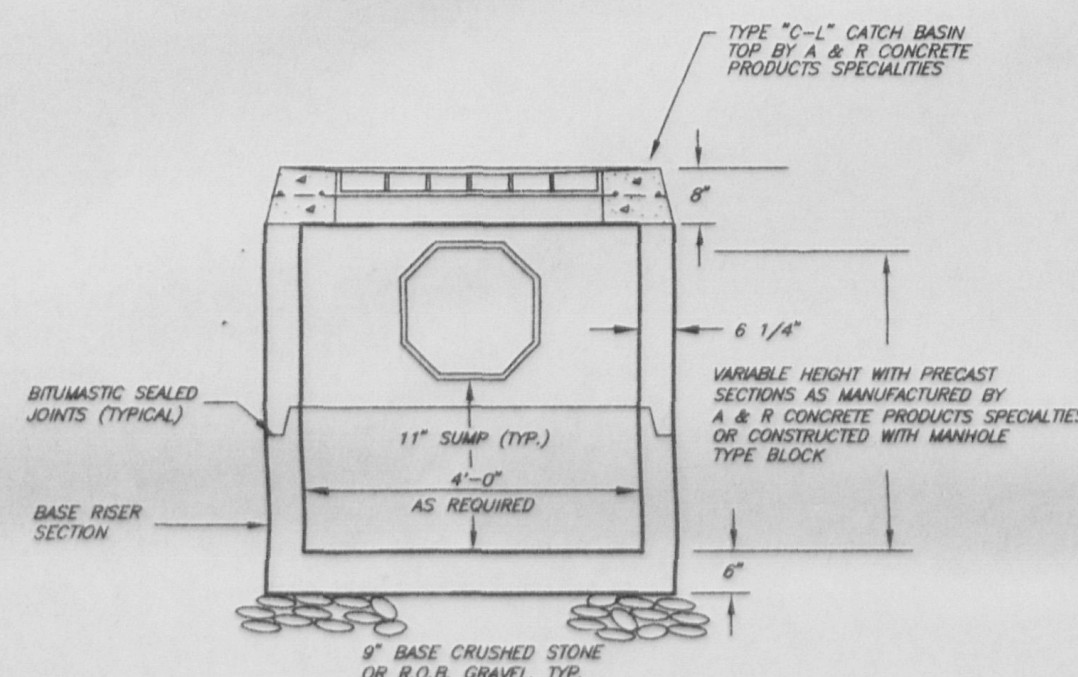
1. A 1, 2 OR 3 BEDROOM HOUSE REQUIRES A 1000 GALLON SEPTIC TANK. A 4 BEDROOM HOUSE REQUIRES A 1250 GALLON SEPTIC TANK.
2. ALL SANITARY SEWAGE DISPOSAL SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH NEW YORK STATE DEPARTMENT OF HEALTH STANDARDS AND THE PROVISIONS OF THE PUBLIC HEALTH LAW.
3. ALL SANITARY SEWAGE DISPOSAL SYSTEMS SHALL BE DESIGNED BY A NEW YORK STATE LICENSED DESIGN PROFESSIONAL AND APPROVED BY THE TOWN OF NEW WINDSOR BUILDING INSPECTOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE SYSTEM SHALL BE INSPECTED DURING CONSTRUCTION AND CERTIFIED AS TO CONFORMANCE TO DESIGN BY THE DESIGN PROFESSIONAL PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.



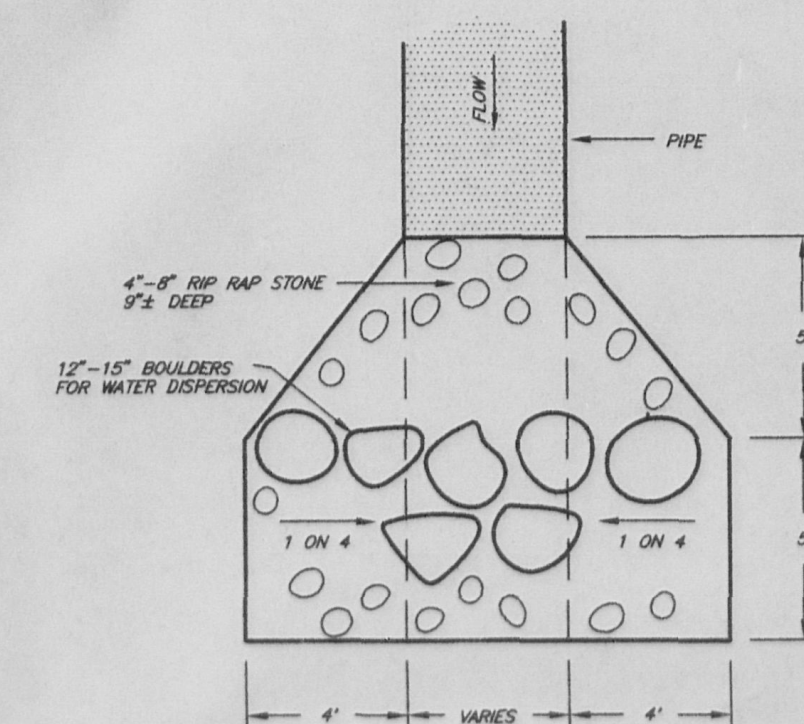
SESAME STREET
SCALE: HORIZ. 1" = 50'
VERT. 1" = 5'



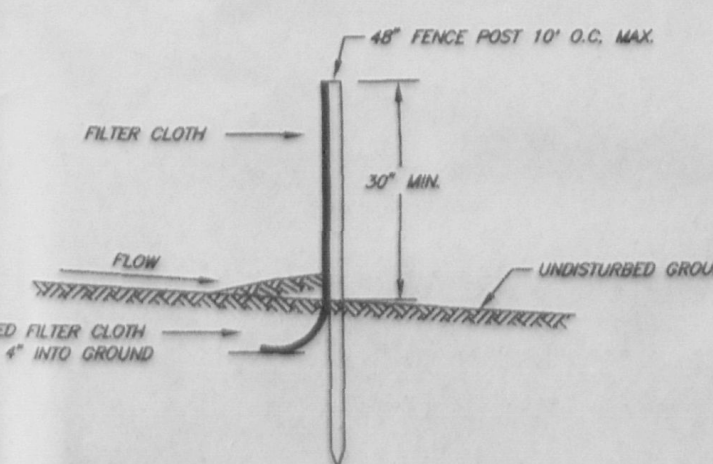
TYPICAL FRAME & GRATE



CATCH BASIN DETAIL
NOT TO SCALE

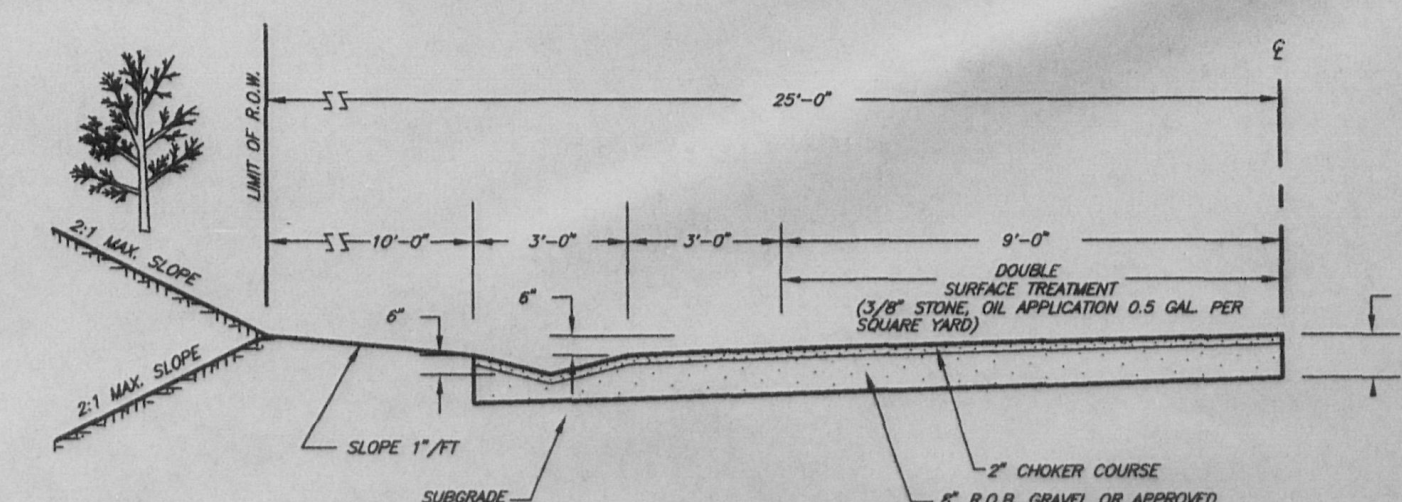


RIP RAP OUTLET
NOT TO SCALE



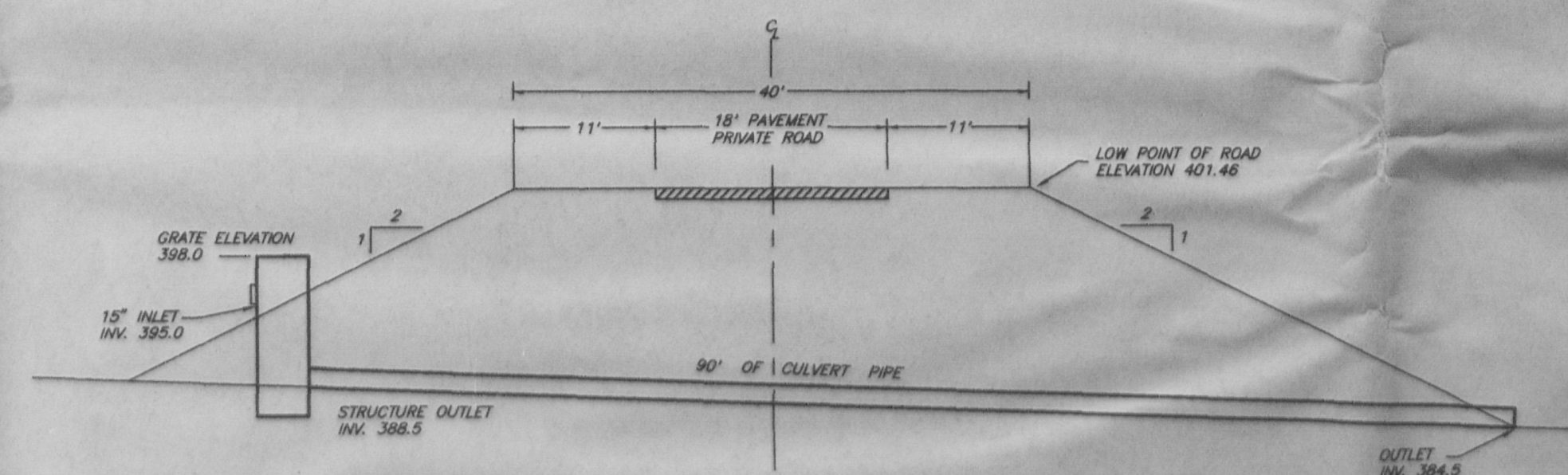
FILTER CLOTH SILT BARRIER
NOT TO SCALE

- NOTES:
1. FILTER CLOTH TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 2. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 6\"
 3. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN \"BULGES\" DEVELOP IN THE SILT FENCE.
 4. THE SILT FENCE MAY BE PLACED ADJACENT TO THE MAINTENANCE FENCE. MAINTENANCE FENCE SHOULD BE LOCATED ON THE UNDISTURBED SIDE OF FILTER FENCE.



- NOTES:
1. ALL OF ROAD TO BE GRADED TO RIGHT OF WAY LINE.
 2. ALL TREES TO BE REMOVED WITHIN THE R.O.W.

PRIVATE ROAD SPEC. DETAIL
NOT TO SCALE



PROPOSED DRAINAGE STRUCTURE
NOT TO SCALE

SUB DIVISION APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON MAR - 7 1993
BY EDWARD STENT
SECRETARY

ROAD PROFILE AND DETAILS
FOR
GENARO A. ARGENIO

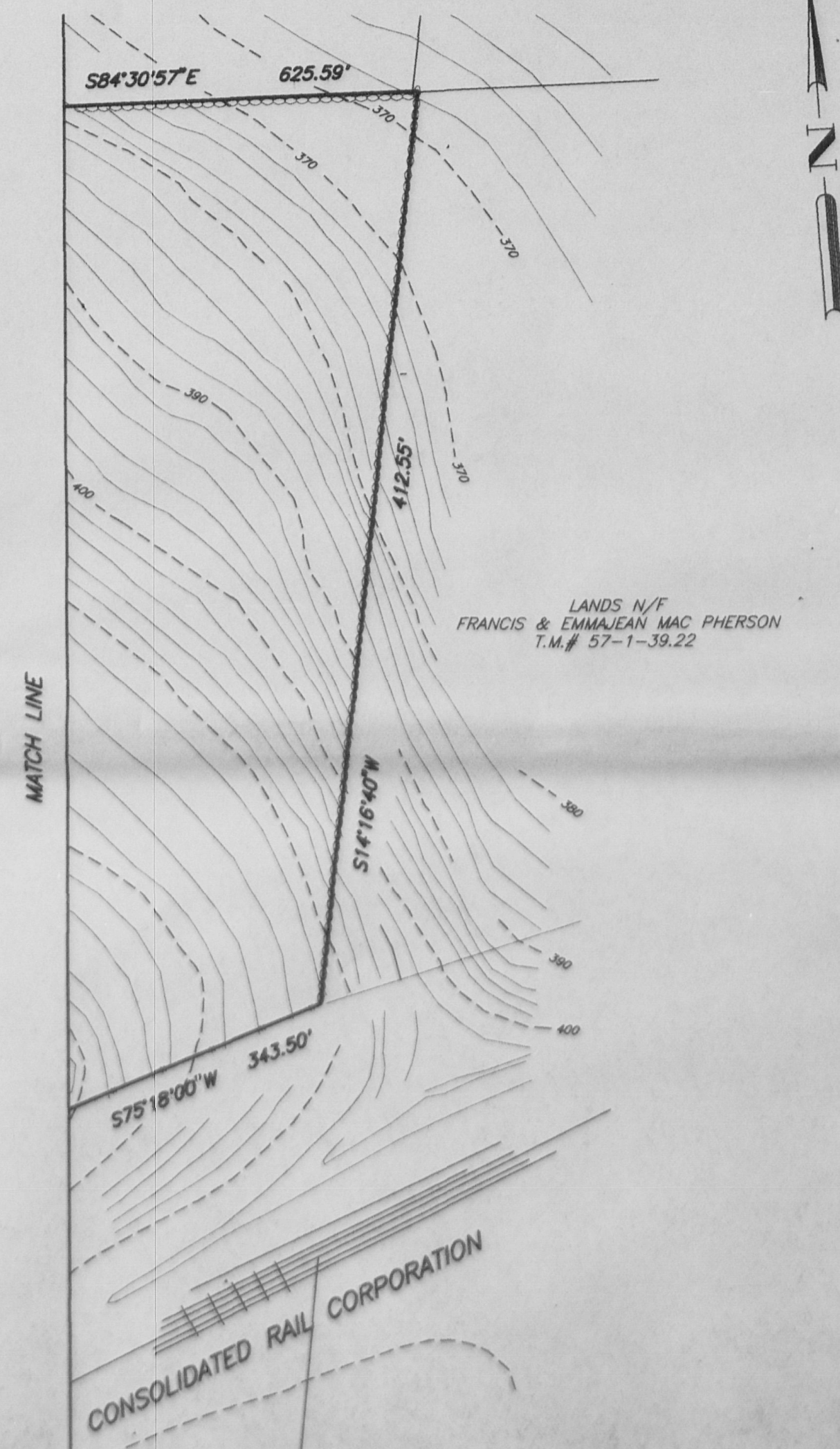
TOWN OF NEW WINDSOR ORANGE COUNTY, N.Y.
SCALE: AS SHOWN SHEET 3 OF 3
DATE: SEPTEMBER 20, 1993

DRAWN BY: M.P.M. EUSTANCE & HOROWITZ, P.C. DISK # 05054502
CHECKED BY: J.H. A.P.O. BOX 40 CRODLEDALE, NEW YORK 10816



LEGEND

- NYS DEC WETLAND BOUNDARY
- 100' BUFFER
- STONE WALL
- EXISTING FENCE
- PROPOSED WELL
- PROPOSED HOUSE
- PROPOSED SDS
- LOT NUMBER
- G.F.E.
- GARAGE FLOOR ELEVATION
- FRENCH DRAIN
- STREET NUMBER
- LOCATION OF PHOTOGRAPHS
- LIMITS OF CONSTRUCTION DISTURBANCE IN FRESHWATER WETLAND AND ADJACENT 100' AREAS
- SILT FENCE OR HAY BALE BARRIER
- RIP-RAP AT END OF SWALE



NOTES

1. TAX MAP # 57-1-89.12
2. TOTAL AREA 28.66± ACRES
3. ZONING DISTRICT: R1
4. TOTAL NUMBER OF LOTS: 5
5. BOUNDARY SURVEY BY: EUSTANCE AND HOROWITZ, P.C.
6. TOPOGRAPHICAL SURVEY FROM AERIAL PHOTO
7. NYS DEC FRESHWATER WETLANDS (MB-29) AS SHOWN FROM FIELD DELINEATION BY EUSTANCE AND HOROWITZ, P.C.
8. PRIVATE ROAD, ROAD MAINTENANCE AGREEMENT TO BE FILED IN THE TOWN CLERK'S OFFICE AND THE ORANGE COUNTY CLERK'S OFFICE.

NYSDEC FRESHWATER WETLAND CERTIFICATION

THE FRESHWATER WETLAND BOUNDARY AS REPRESENTED ON THESE PLANS ACCURATELY DEPICTS THE LIMITS OF FRESHWATER WETLANDS (MB-29) AS DETERMINED BY NYS DEC STAFF.

DEED STAFF: _____ SURVEYOR/ENGINEER: EUSTANCE & HOROWITZ, P.C.
DATE OF FIELD SURVEY: 06/21/95
DATE FLAGGED: _____ DATE REVALUED: _____
SEAL: _____

* WETLAND BOUNDARY AS DETERMINED BY DEC REMAINS VALID FOR THREE YEARS FROM DATE OF FLAGGING OR REVALUATION. FOR OFFICIAL USE OF THE WETLAND BOUNDARY AFTER THIS THREE YEAR PERIOD, THE BOUNDARY MUST BE REVALUED BY DEC STAFF. THIS MAY INCLUDE REFLAGGING AND SURVEY OF THE WETLAND BOUNDARY IF CHANGES ARE NOTED.

* ANY PROPOSED CONSTRUCTION, GRADING, FILLING, EXCAVATING, CLEARING OR OTHER REGULATED ACTIVITY IN THE FRESHWATER WETLAND OR WITHIN 100 FEET OF THE WETLAND BOUNDARY AS DEPICTED ON THIS PLAN REQUIRES A PERMIT FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER ARTICLE 24 OF THE ENVIRONMENTAL CONSERVATION LAW (FRESHWATER WETLANDS ACT) PRIOR TO COMMENCEMENT OF WORK.

RECORD OWNER:

HANS OFFENBORN
1767 W. SMUGGLERS COVE DRIVE
GULF BREEZE, FLA 32561

SUBDIVIDER:

GENARO A. ARGENTIO
4 LANTERN AVENUE
NEWBURGH, NY 12550

PROJECT	NATURE OF REVISION	BY	REVISION	NATURE OF REVISION	BY
11/1/95	GENERAL REVISION	GENARO A. ARGENTIO			
02/20/96	GENERAL REVISION	GENARO A. ARGENTIO			

STORMWATER MANAGEMENT PLAN

FOR

GENARO A. ARGENTIO

TOWN OF NEW WINDSOR ORANGE COUNTY, N.Y.

SCALE: 1"=50' SEPTEMBER 20, 1995

GRAPHIC SCALE: 1"=50'

DRAWN BY: AK/PM

CHECKED BY: JH

EUSTANCE & HOROWITZ, P.C.

P.O. BOX 46 GREENVILLE, NEW YORK 12040

DATE: 9/20/95

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN BEARING A LICENSED PROFESSIONAL'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS PLAN MARKED WITH AN ORIGINAL PROFESSIONAL'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.